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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

30° VICTORIÆ, 1867.

VOL. CLXXXVI.

COMPRISING THE PERIOD FROM

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TO

THE THIRD DAY OF MAY 1867.

Second Volume of the Session.

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Moved, "That the Commissioners of Her Majesty's Treasury be authorized to guarantee interest, at a rate not exceeding four per centum per annum, on any principal money, not exceeding £3,000,000 sterling, to be raised by Loan by the Government of Canada for the construction of a Railway connecting Quebec and Halifax,"—(*Mr. Adderley.*)

After long debate, Question put :—The Committee *divided;* Ayes 247, Noes 67 ; Majority 180 :—Resolution to be reported *To-morrow.*

Mutiny Bill—

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And, after long time spent therein, Committee report Progress; to sit again upon *Monday* next.

Bridges (Ireland) Bill [Bill 86]—

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Religious, &c., Buildings (Sites) Bill [Bill 64]—

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After debate, Question put: — The House *divided;* Ayes 29, Noes 49; Majority 20.

LORDS, FRIDAY, MARCH 29.

Militia—Address for a Return—*Moved*,

That an humble Address be presented to Her Majesty for, Return of all Regiments of Militia in the United Kingdom; showing the Number of Companies in each Regiment, the Establishment Number of Privates in each Company, the Number of Privates present with the Regiment at the last training in the Year 1866, the Number enlisted between the 1st Day of April 1865 and the 1st Day of April 1866, and the Sums paid in each Regiment for such Enlistments,—(*The Marquess of Salisbury*) .. 804

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Royal Navy—Motion for

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SUPPLY—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

NEW NATIONAL GALLERY—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, a Copy of any further Correspondence between the Architects and the First Commissioner of Works relative to the competition for the New National Gallery,"—(*Mr. Goldsmid*,)—instead thereof 819

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment, by leave, *withdrawn*.

THE JEWS IN SERVIA—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of any Correspondence between Her Majesty's Minister for Foreign Affairs and Her Consul General in Servia, respecting the condition and treatment of the Jews of that Principality," —(*Sir Francis Goldsmid*,)—instead thereof 838

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn*.

ADMINISTRATION OF JUSTICE (IRELAND)—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, Copies of any Correspondence that has taken place with reference to cases referred to in Mr. Justice Keogh's statement at the Assize Court of the county of Tyrone, and of the Letter of Lord Chancellor Brady to the Lord Lieutenant of the county of Down, on the impropriety of conferring the commission of the peace on Members of the Orange Association; and, of any Correspondence that arose thereupon,"—(*Sir John Gray*,)—instead thereof 867

After long debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

ECCLESIASTICAL ESTABLISHMENT IN THE WEST INDIES—Resolution, Mr. Remington Mills; Motion not in Order 887

IRELAND—THE CONSTABULARY SUPERANNUATIONS—Observations, Colonel Greville-Nugent; Reply, Lord Naas:—Debate thereon 887

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES—

£2,000, Special Rewards to certain members of the Irish Constabulary Force 894

After short debate, Vote *agreed to*.

Resolution to be reported upon *Monday* next.

Railway Companies (Winding-up) (Ireland) Bill—*Ordered* (*Mr. Lawson, Sir Colman O'Loghlen, Mr. Sullivan*); *presented*, and read the first time [Bill 101] .. 896

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Whereupon Question again proposed, "That 65,300 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March 1868, including 16,200 Royal Marines,"—(*Mr. Childers.*)

After long debate, Amendment, by leave, *withdrawn:*—Original Question put, and *agreed to.*

(2.) £1,900,952, Wages—After short debate, Vote *agreed to* .. 971

(3.) £1,241,614, Victuals and Clothing, *agreed to.*

Motion made, and Question proposed, "That a sum, not exceeding £176,018, be granted to Her Majesty, to defray the Salaries of the Officers and the Contingent Expenses of the Admiralty Office, which will come in course of payment during the year ending on the 31st day of March 1868."

After further short debate, Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Serjeant Gaselee,*)—put, and *negatived:*—Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

Canada Railway Loan Bill [Bill 99]—

Moved, "That the Bill be now read a second time,"—(*Mr. Adderley*) .. 972

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Master and Servant Bill—
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Attorneys, &c., Certificate Duty Bill [Bill 53]—
Moved, "That the Bill be now read a second time,"—(*Mr. Denman*) .. 1060
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Sale and Purchase of Shares Bill [Bill 38]—
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Marine Mutiny Bill—*Ordered* (*Mr. Dodson, Mr. Corry, Lord Henry Lennox*); *presented*, and read the first time 1064

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Sea Coast Fisheries (Ireland) Bill [Bill 50]—
Moved, "That the Bill be now read a second time,"—(*Mr. Blake*) .. 1093
After debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Wednesday* next.

WATERFORD COUNTY ELECTION—
House informed, that the Committee had determined, That Edmund de la Poer, esquire, was duly elected a Knight of the Shire to serve in this present Parliament for the County of Waterford. And the said Determination was ordered to be entered in the Journals of this House. House further informed, That the Committee had agreed to certain Resolutions 1100
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LORDS, THURSDAY, APRIL 4.

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WAYS AND MEANS—The Financial Statement—

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Financial Statement of *The Chancellor of the Exchequer* on moving the First Resolution.

That towards raising the Supply granted to Her Majesty, the Duty of Customs now charged on Tea shall continue to be levied and charged on and after the 1st day of August 1867 until the 1st day of August 1868 on the importation thereof into Great Britain and Ireland, viz.—Tea . . . . . the lb. 0*s*. 6*d*. 1110

After long debate, Motion *agreed to.*

Other Resolutions *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

Tenants Improvements (Ireland) Bill [Bill 29]—

Moved, "That the Bill be now read a second time,"—(*Lord Naas*) .. 1159

Moved, "That the Debate be now adjourned,"—(*Mr. Candlish.*)

After short debate, Motion *agreed to:*—Debate *adjourned* till *Monday* 29th April.

Court of Chancery (Ireland) Bill [Bill 47]—

Bill *considered* in Committee [Progress 26th March] .. 1164

And, after short time spent therein, Committee report Progress; to sit again *To-morrow.*

Burials (Ireland) Bill—Resolution in Committee:—Bill *ordered* (*Mr. Monsell, Mr. Sullivan*); *presented,* and read the first time [Bill 109] .. 1166

LORDS, FRIDAY, APRIL 5.

Religious, &c., Buildings (Sites) Bill (No. 68)—

Moved, "That the Bill be now read 2ª,"—(*Lord Cranworth*) .. 1167

After short debate, Motion *agreed to:*—Bill read 2ª, and *committed* to a Committee of the Whole House on *Tuesday* next.

Mutiny Bill—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Longford*) .. 1167

Motion *agreed to:*—Bill read 2ª, and *committed* to a Committee of the Whole House on *Monday* next.

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COMMONS, FRIDAY, APRIL 5.

London, Chatham, and Dover Railway (*No.* 3) *Bill*—

Moved, "That the Standing Orders of this House, Nos. 18, 38, and 40, be suspended in the case of the Petition for the London, Chatham, and Dover Railway (No. 3) Bill,"—(*Mr. Thomas Hughes*) 1169

After short debate, Question put, and *agreed to.*

TIPPERARY ELECTION—

House informed, that the Committee had determined,—That the Honourable Charles White is duly elected a Knight of the Shire to serve in this present Parliament for the County of Tipperary. And the said Determination was ordered to be entered in the Journals of this House. House further informed of certain Resolutions of the Committee .. 1171

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SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

ARMY—THE WAR OFFICE—Motion for a Select Committee (*Lord Eustace Cecil*) 1175

Motion, by leave, *withdrawn.*

EDUCATIONAL GRANTS—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House dissents from so much of the Minute of the Committee of Council on Education as provides for an increase of the Grants now made to Primary Schools,"—(*Mr. Lowe,*)—instead thereof 1176

After debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 203, Noes 40; Majority 163.

Question again proposed, "That Mr. Speaker do now leave the Chair."

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GRAND DUCHY OF LUXEMBOURG—Question, Sir R. Peel; Answer, Lord Stanley 1248

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn*:—Committee *deferred* till *Monday* next.

Marine Mutiny Bill—

Moved, "That the Bill be now read a second time,"—(*Mr. Corry*) .. 1257

Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Fortifications (Provision for Expenses) Bill [Bill 104]—

Moved, "That the Bill be now read a second time,"—(*Sir John Pakington*) .. 1258

Moved, "That the Debate be now adjourned,"—(*Sir Morton Peto.*)

After short debate, Motion *agreed to*:—Debate *adjourned* till *Monday* next.

Arrest for Debt (Ireland) Bill—*Ordered* (*Sir Colman O'Loghlen, Mr. Blake*); *presented,* and read the first time [Bill 110] 1259

Education of the Poor Bill—*Ordered* (*Mr. Bruce, Mr. William Edward Forster, Mr. Algernon Egerton*); *presented,* and read the first time [Bill 111] .. 1259

LORDS, MONDAY, APRIL 8.

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REPRESENTATION OF THE PEOPLE—METROPOLITAN BOROUGHS—Address for Returns (*The Earl of Shaftesbury*) 1264

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COMMONS, MONDAY, APRIL 8.

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ECCLESIASTICAL COMMISSIONERS—DEAN AND CHAPTER OF WESTMINSTER — Question, Mr. Bentinck; Answer, Mr. Mowbray 1266

DISTRESS IN POPLAR—Question, Viscount Enfield; Answer, Mr. G. Hardy .. 1266

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TURNPIKE TRUSTS—Question, Mr. Hardcastle; Answer, Mr. Walpole .. 1268

Parliamentary Reform—Representation of the People Bill [Bill 79]—

Order for Committee read 1268

After short debate, *Instruction* to the Committee, that they have power to alter the law of rating,—(*Mr. Coleridge*) 1270

Moved, "That it be an Instruction to the Committee, that they have power to make provision for the prevention of bribery and corruption at Elections,"—(*Sir Rainald Knightley.*)

After further debate, Motion, by leave, *withdrawn.*

Moved, "That Mr. Speaker do now leave the Chair."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "all Parliamentary Boroughs having a less population than 10,000 persons, according to the Census of 1861, and from which the second seat be taken, shall be increased by adding either from the immediately surrounding district, or from one or more neighbouring Boroughs or Towns, a sufficient number of inhabitants to give to every such Parliamentary Borough a population of not less than 10,000 persons,"—(*Captain Hayter,*)—instead thereof 1278

After further debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Original Question again proposed, "That Mr. Speaker do now leave the Chair."

After further long debate, Motion, "That the Debate be now adjourned,"—(*Mr. Gorst,*)—put, and *negatived.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Parliamentary Reform—Representation of the People Bill [Bill 79]—continued.
Bill *considered* in Committee:—Motion, "That the Chairman report Progress, and ask leave to sit again on *Thursday* next,"—(*Mr. Gathorne Hardy,*)—put, and *agreed to.*
Committee report Progress; to sit again upon *Thursday.*

Public Health (Scotland) Bill [Bill 89]—
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After short debate, Second Reading *deferred* till *Thursday* 2nd May.

IRELAND—LIMERICK HARBOUR—
Considered in Committee 1318
Resolved, That it is expedient to authorise the Commissioners of Her Majesty's Treasury to compound the Public Debt and Interest due by the Limerick Harbour Commissioners, and to make arrangements for the payment of the amount for which such Debt is to be compounded, and for the transfer of Wellesley Bridge, in the City of Limerick, to the Commissioners of Public Works.
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That there be laid before the House, Return of Property purchased in Parliament and King Streets for the Extension of the new State Offices,—(*The Lord Redesdale*) .. 1331

COMMONS, TUESDAY, APRIL 9.

THE NEW FOREST—LICENSES TO SHOOT—Question, Colonel Hamlyn Fane; Answer, Mr. Hunt 1335

ELECTION PETITIONS COMMITTEES—Question, Captain Archdall; Answer, The Chancellor of the Exchequer 1336

METROPOLITAN BOARD OF WORKS—Question, Mr. Treeby; Answer, Mr. Hunt 1336

UNJUST WEIGHTS AND MEASURES CONVICTIONS—Question, Mr. Roebuck; Answer, Mr. Walpole 1337

CATTLE PLAGUE—EXHIBITIONS OF LIVE STOCK—Question, Mr. Acland; Answer, Lord Robert Montagu 1337

LANDLORD AND TENANT (IRELAND) BILL—Question, Mr. Gregory; Answer, The Chancellor of the Exchequer 1338

CANADIAN LOAN GUARANTEE—Question, Mr. Whatman; Answer, Mr. Adderley 1338

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REPRESENTATION OF THE PEOPLE BILL—CLAUSE 3—Notice, Mr. Gladstone .. 1338

LONDON, CHATHAM, AND DOVER RAILWAY COMPANY—*Moved*,

"That a Select Committee be appointed to inquire into the means adopted by the London, Chatham, and Dover Railway Company for raising the share capital and exercising their borrowing powers under the various Acts of Parliament authorising the construction of the main line and its extensions and branches,"—(*Sir Morton Peto*) .. 1339

After short debate, Motion, by leave, *withdrawn*.

Representation of the People (Ireland) Bill—

Motion for Leave (*Colonel French*) 1349

After short debate, Motion *agreed to*:—Bill to amend the Representation of the People in Ireland, *ordered* (*Colonel French, Mr. Marsh*); *presented*, and read the first time [Bill 115.]

TOTNES ELECTIONS—*Moved*,

"That before proceedings be taken against any of the Parties convicted of Bribery at he Totnes Election a list of those about to be prosecuted be laid upon the Table of this House,"—(*Sir Lawrence Palk*) 1353

After debate, Motion, by leave, *withdrawn*.

Mixed Marriages (Ireland) Bill—

Motion for Leave (*Mr. Serjeant Armstrong*) 1374

After short debate, Motion *agreed to*:—Bill to amend the Law relating to Marriages between Protestants and Roman Catholics in Ireland, *ordered* (*Mr. Serjeant Armstrong, Mr. Cogan*); *presented*, and read the first time [Bill 120.]

WITNESSES (HOUSE OF COMMONS)—*Moved*,

"That there be laid before this House, Copy of Recommendation of the Chairman of the Select Committee on Mines in the last Session to the Treasury, with reference to the expenses of Witnesses examined before that Committee,"—(*Mr. Neate*) .. 1376

After short debate, Motion, by leave, *withdrawn*.

Corrupt Practices at Elections Bill—

Motion for Leave (*Mr. Hunt*) 1382

After short debate, Motion *agreed to*:—Bill to provide for the more effectual prevention of corrupt practices and undue influence at Parliamentary Elections, *ordered* (*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Mr. Hunt*); *presented*, and read the first time [Bill 119.]

Offices and Oaths Bill [Bill 7]—

Bill *considered* in Committee 1383

And, after long time spent therein, Bill *reported*; as amended, to be considered *To-morrow*.

Transubstantiation, &c., Declaration Abolition Bill [Bill 6]—

Bill *considered* in Committee 1408

And, after short time spent therein, Bill *reported*; as amended, to be considered *To-morrow*.

Criminal Law Bill [Bill 8]—

After short debate, Bill read the third time, and *passed* 1415

Fortifications (Provision for Expenses) Bill [Bill 104]—

Bill *considered* in Committee 1416

And, after short time spent therein, Bill *reported*, without Amendment; to be read the third time upon *Thursday*.

REPRESENTATION OF THE PEOPLE BILL—Amendments (*Mr. Gladstone*) .. 1416

Game Laws (Scotland) Bill—*Ordered* (*Lord Elcho, Mr. Henry Baillie, Sir Robert Anstruther*); *presented*, and read the first time [Bill 116] 1417

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Labouring Classes Dwellings Acts (1866) Amendment Bill—*Ordered* (*Mr. Hunt, Mr. Secretary Walpole*); *presented*, and read the first time [Bill 118] .. 1417

Limerick Harbour Bill— Resolution [April 8] *reported* :—Resolution *agreed to* :—Bill *ordered* (*Mr. Dodson, Lord Naas, Mr. Hunt*); *presented*, and read the first time [Bill 117] 1417

COMMONS, WEDNESDAY, APRIL 10.

Mines, &c., Assessment Bill [Bill 33]—

Moved, "That the Bill be now read a second time,"—(*Mr. P. Wyndham*) 1417

After long debate, Motion *agreed to* :—Bill read a second time, and *committed* to a Select Committee :—List of the Committee 1431

Tests Abolition (Oxford) Bill [Bill 16]—

Order for Committee read :—*Moved*, "That Mr. Speaker do now leave the Chair" 1431

Moved, "That it be an Instruction to the Committee, that they have power to extend the provisions of the Bill to the University of Cambridge,"—(*Mr. Fawcett.*)

After long debate, Question put :—The House *divided;* Ayes 253, Noes 166; Majority 87.

Division List, Ayes and Noes 1443

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Motion *agreed to* :—Bill *considered* in Committee; and, after short time spent therein, Bill *reported;* as amended, to be considered *To-morrow*.

Associations of Workmen Bill [Bill 21]—

Moved, "That the Bill be now read a second time,"—(*Mr. Neate*) .. 1448

After short debate, Debate *adjourned* till *To-morrow*.

LORDS, THURSDAY, APRIL 11.

CHURCH OF ENGLAND—RITUALISTIC PRACTICES—Personal Explanation (*The Duke of Marlborough*) 1453

Canada Railway Loan Bill (No. 73)—

Moved, "That the Bill be now read 3^a,"—(*The Duke of Buckingham*) .. 1453

After short debate, Motion *agreed to* :—Bill read 3^a accordingly, and *passed*.

AGRICULTURAL GANGS—Observations, The Earl of Shaftesbury; Reply, The Earl of Belmore 1465

PRIVATE BILLS—

Resolved, That Standing Order 179. Sects. 1. and 2. be suspended; and that the Time for depositing Petitions praying to be heard against Private Bills, which would otherwise expire during the Adjournment of the House, be extended to the Second Day on which the House shall sit after the Recess at Easter 1477

COMMONS, THURSDAY, APRIL 11.

CASE OF MR. CHURCHWARD — Question, Mr. Serjeant Gaselee; Answer, Mr. Speaker 1477

THE IMAUM OF MUSCAT—Question, Sir Fowell Buxton; Answer, Lord Stanley 1478

JUVENILE LABOUR IN PRINTWORKS — Question, Mr. Wilbraham Egerton; Answer, Mr. Walpole 1478

INTERNATIONAL CURRENCY CONFERENCE—Question, Mr. W. E. Forster; Answer, Lord Stanley 1478

THE CATTLE PLAGUE—Question, Colonel Leslie; Answer, Lord Naas .. 1479

REPRESENTATION OF THE PEOPLE BILL — COMPOUND HOUSEHOLDERS—Question, Mr. Warner; Answer, The Chancellor of the Exchequer .. 1479

ARMY—ARTILLERY—CHILLED SHOT—Question, Mr. Henry Baillie; Answer, Sir John Pakington 1480

FEES OF RETURNING OFFICERS—Question, Mr. Kekewich; Answer, The Chancellor of the Exchequer 1481

IRELAND—VOTING PAPERS—Question, Mr. Rearden; Answer, The Chancellor of the Exchequer 1481

OUR RELATIONS WITH SPAIN—Question, Mr. Osborne; Answer, Lord Stanley 1482

METROPOLIS—BUCKINGHAM PALACE GARDENS—Question, Mr. Owen Stanley; Answer, Lord John Manners 1482

REPRESENTATION OF THE PEOPLE BILL—THE HUNDREDS OF OFFLOW—Question, Mr. Foley; Answer, The Chancellor of the Exchequer .. 1482

BRIDGES (IRELAND) BILL—Question, Mr. Esmonde; Answer, Mr. Hunt .. 1483

IRELAND—CASE OF THE REV. MR. MAGINN—Question, Mr. Whalley; Answer, Lord Naas 1484

AGRICULTURE OF AUSTRIA AND DENMARK—Question, Mr. Holland; Answer, Lord Stanley 1485

CORRUPT PRACTICES AT ELECTIONS BILL—Question, Sir George Grey; Answer, The Chancellor of the Exchequer 1485

Parliamentary Reform—Representation of the People Bill [Bill 79]—

Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Moved, "That this House do now adjourn,"—(*Earl Grosvenor*) .. 1486

After debate, Motion, by leave, *withdrawn.*
Bill *considered* in Committee.
Preamble *postponed.*
Clauses 1 and 2 *agreed to.*
Clause 3 (Occupation Franchise for Voters in Boroughs.)
Amendment proposed,

In page 2, lines 3 and 4, after the words "and 2," to insert the words "whether he in person or his landlord be rated to the relief of the poor,"—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted."
After long debate, Committee report Progress; to sit again *To-morrow.*

Metropolis Gas Bill [Bill 45]—

Moved, "That the Bill be read a second time upon Monday 29th April,"—(*Sir Stafford Northcote*) 1576

After short debate, Amendment proposed, to leave out the words "Monday 29th April," in order to add the words "this day six months,"—(*Mr. Edward Craufurd:*)—Question proposed, "That the words proposed to be left out stand part of the Question."

After further short debate, *Moved*, "That the debate be now adjourned,"—(*Mr. Ayrton:*)—The House *divided;* Ayes 85, Noes 48; Majority 37:—Debate *adjourned* till *Monday* 29th April.

Offices and Oaths Bill [Bill 7]—

Bill, as amended, *considered* 1580

Amendments made; Bill to be read the third time *To-morrow.*

RAILWAYS—

Select Committee *appointed*, "to inquire into the provisions made by Parliament for securing the completion of Railways within a prescribed time, and to report whether any and what alterations should be made in the Standing Orders of this House requiring such provisions, or the Act 9 Vic. c. 20,"—(*Mr. Dodson:*)—List of the Committee .. 1580

Local Government Supplemental Bill—*Ordered* (*Mr. Secretary Walpole, Mr. Hunt*); *presented*, and read the first time [Bill 121] 1580

Railways (Scotland) Bill—*Ordered* (*Sir Graham Montgomery, Mr. Hunt*); *presented*, and read the first time [Bill 122] 1580

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Their Lordships met; and having gone through the business on the paper, without debate—House *adjourned.*

COMMONS, FRIDAY, APRIL 12.

Ireland — River Shannon — Question, Mr. W. Ormsby Gore; Answer, Mr. Hunt 1581

India—Famine in Orissa — Question, Mr. Smollett; Answer, Sir James Fergusson 1582

Army—The War Department—Question, General Dunne; Answer, Sir John Pakington 1582

Army—Reward to Major Palliser—Question, Major Anson; Answer, Sir John Pakington 1582

Ireland—Escape of John Kirwan—Question, Mr. Peel Dawson; Answer, Lord Naas 1583

Mr. Grant of Kettleburgh—Church Rates—Question, Mr. Thomas Cave; Answer, Mr. Walpole 1583

Navy—Greenwich Hospital—Question, Mr. Liddell; Answer, Mr. Corry .. 1584

Tenants Improvements (Ireland) Bill—Question, Sir Frederick Heygate; Answer, The Chancellor of the Exchequer 1585

Our Relations with Spain—Question, Colonel Sykes; Answer, Lord Stanley 1586

Adjournment for the Easter Holydays — Motion for Adjournment (*Mr. Chancellor of the Exchequer*) 1587

Army—Supply of Barrack Stores — Question, Colonel French; Answer, Sir John Pakington 1598

Motion *agreed to* :—House at rising to adjourn till *Monday* the 29th day of this instant April.

Parliamentary Reform — Representation of the People Bill [Bill 79]—

Bill *considered* in Committee [Progress April 11] 1599

Clause 3 (Occupation Franchise for Voters in Boroughs.)

Amendment proposed,

In page 2, lines 3 and 4, after the words "and 2," to insert the words "whether he in person or his landlord be rated to the relief of the poor,"—(*Mr. Gladstone.*)

Question again proposed, "That those words be there inserted."

After long debate, Question put :—The Committee *divided;* Ayes 289, Noes 310; Majority 21.

Division List, Ayes and Noes 1699

Committee report Progress; to sit again upon *Thursday* 2nd May.

Land Drainage Supplemental Bill — *Ordered* (*Mr. Secretary Walpole, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 123] 1703

Church Discipline Act Amendment Bill—*Ordered* (*Mr. Whalley, Mr. Kennard*); *presented,* and read the first time [Bill 124] 1703

COMMONS, MONDAY, APRIL 29.

Ireland—National Education—Question, Mr. Cogan; Answer, Lord Naas 1704

Ireland — River Shannon — Question, Mr. W. Ormsby Gore; Answer, Mr. Hunt 1704

Luxembourg—Question, Mr. Horsman; Answer, Lord Stanley .. 1705

Private Communications—Mr. Dillwyn's Memorandum — Explanations, Mr. Dillwyn, Mr. Owen Stanley 1706

Ireland—The Tyrone Magistracy—Question, Colonel Stuart Knox; Answer, Lord Naas 1709

Factory Acts Extension Bill—Question, Mr. Powell; Answer, The Chancellor of the Exchequer; Question, Mr. Bright 1710

Tenants Improvements (Ireland) Bill [Bill 29]—

Order read, for resuming Adjourned Debate on Question [4th April], "That the Bill be now read a second time:"—Question again proposed: —Debate *resumed* 1710

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "without prejudging the Second Reading of this Bill, this House is of opinion that no enactment for the settlement of the Landlord and Tenant question in Ireland can be deemed satisfactory which does not provide for the encouragement of leases in that Country,"—(*Mr. Gregory*,)—instead thereof

Question proposed, "That the words proposed to be left out stand part of the Question."

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Graves*) 1778

After further short debate, Motion, by leave, *withdrawn.*

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Question proposed,

"That the words 'without prejudging the Second Reading of this Bill, this House is of opinion that no enactment for the settlement of the Landlord and Tenant question in Ireland can be deemed satisfactory which does not provide for the encouragement of leases in that Country,' be there added."

Amendment proposed to the said proposed Amendment, by leaving out all the words after the word "opinion," in order to add the words,

"No property should be charged with the repayment of loans advanced for the purpose of making improvements except such improvements be made with the consent of the landlord,"—(*Mr. Sandford*,)—instead thereof.

Question put, "That the words proposed to be left out stand part of the said proposed Amendment:"—The House *divided;* Ayes 104, Noes 108; Majority 4.

Question proposed,

"That the words 'no property should be charged with the repayment of loans advanced for the purpose of making improvements except such improvements be made with the consent of the landlord' be there added."

After long debate, *Moved*, "That the debate be now adjourned,"—(*Mr. Dick*:) —The House *divided;* Ayes 115, Noes 97; Majority 18:—Debate *adjourned* till *Monday* 13th May.

Tramways (Ireland) Acts Amendment Bill—*Ordered* (*Mr. Monsell, Mr. Sherriff*); *presented*, and read the first time [Bill 125] 1784

COMMONS, TUESDAY, APRIL 30.

Public Works Commissioners—Question, Colonel French; Answer, Mr. Hunt .. 1784

Irish and Scotch Reform Bills—Question, Mr. Stacpoole; Answer, The Chancellor of the Exchequer 1785

Neutrality of Luxembourg—Question, Mr. Darby Griffith; Answer, Lord Stanley 1785

Ireland—Anticipated Distress in Galway—Question, Mr. Gregory; Answer, Lord Naas 1786

Ireland—Court of Exchequer—Question, Lord Dunkellin; Answer, The Attorney General for Ireland 1786

National Debt Bill—Question, Mr. H. B. Sheridan; Answer, The Chancellor of the Exchequer 1787

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Factory Bill—Question, Mr. Bright; Answer, Mr. Walpole .. 1787

Army—Purchase of Commissions—Resolution—Motion,

"That, in the opinion of this House, the system of purchasing Commissions in the Army tends greatly to diminish the efficiency of our Military Force,"—(*Mr. Trevelyan*) .. 1787

After long debate, Question put:—The House *divided;* Ayes 75, Noes 116; Majority 41.

West India Bishops and Clergy Bill—

Motion for Leave (*Mr. Remington Mills*) 1825

After short debate, Motion *agreed to:*—Bill to relieve the Consolidated Fund from the charge of the Salaries of future Bishops and other Ecclesiastical Dignitaries in the West Indies, *ordered* (*Mr. Remington Mills, Mr. Bazley, Mr. Lamont*); *presented,* and read the first time [Bill 126.]

Supply—Civil Service Estimates—*considered* in Committee.

£402,000, Advances for New Courts of Justice and Offices .. 1826

After short debate, Vote *agreed to.*

Resolution to be reported *To-morrow.*

Vaccination Bill—*Ordered* (*Lord Robert Montagu, Mr. Gathorne Hardy, Mr. Hunt*); *presented,* and read the first time [Bill 125] 1827

Roman Catholic Churches, Schools, and Glebes (Ireland) Bill—*Ordered,* (*Sir Colman O'Loghlen, Mr. Gregory, Mr. Murphy*); *presented,* and read the first time [Bill 127] 1827

COMMONS, WEDNESDAY, MAY 1.

Railways (Guards' and Passengers' Communication) Bill [Bill 39]—

Moved, "That the Bill be now read a second time,"—(*Mr. H. B. Sheridan*) 1828

After short debate, Motion *agreed to:*—Bill read a second time, and *committed* for *Tuesday* 14th May.

Turnpike Trusts Bill [Bill 80]—

Moved, "That the Bill be now read a second time,"—(*Mr. Knatchbull-Hugessen*) 1835

After short debate, Motion *agreed to:*—Bill read a second time, and *committed* to a Select Committee:—List of the Committee 1849

Public Houses, &c., Regulation Bill [Bill 83]—

Order for Second Reading read 1849

Moved, "That the Order for the second reading of the Bill be withdrawn and discharged,"—(*Mr. Graves.*)

After short debate, Motion *agreed to:*—Order for Second Reading read, and *discharged:*—Bill *withdrawn.*

Promissory Notes (Ireland) Bill [Bill 90]—

Moved, "That the Bill be now read a second time,"—(*Mr. M'Kenna*) .. 1853

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Colonel French.*)

After short debate, Question put:—The House *divided;* Ayes 46, Noes 70; Majority 24:—Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months.

Pier and Harbour Orders Confirmation Bill—*Considered* in Committee:—Resolution *agreed to:*—Resolution *reported:*—Bill *ordered* (*Mr. Dodson, Mr. Stephen Cave, Mr. Hunt*) 1868

LORDS, THURSDAY, MAY 2.

Grand Duchy of Luxemburg—Question, Earl Russell; Answer, The Earl of Derby 1868

Case of the "Tornado"—Postponement of Motion (*The Marquess of Clanricarde*) 1870

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India—Banda and Kirwee Booty—Question, Mr. Denman; Answer, Sir Stafford Northcote 1871

Middlesex Registration—Question, Mr. Childers; Answer, The Attorney General 1872

Army—Committee on Transport—Question, Captain Vivian; Answer, Sir John Pakington 1873

Navy—Claim of Assistant-Commissary-General Swan—Question, Mr. Stacpoole; Answer, Mr. Corry 1873

Ireland—Railways—Question, Sir Frederick Heygate; Answer, Lord Naas 1873

Metropolis—The Canning Statue—Question, Mr. Goldsmid; Answer, Lord John Manners 1874

The Licensing System—Question, Mr. W. E. Forster; Answer, Mr. Walpole 1874

Representation of the People—The Compound Householder—Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer .. 1875

Case of the "Tornado"—Observations, Lord Stanley, Mr. Baillie Cochrane 1876

Vaccination Bill—Question, Mr. Barrow; Answer, Lord Robert Montagu .. 1878

Metropolis Gas Bill—Question, Mr. Liddell; Answer, Sir Stafford Northcote 1878

Corrupt Practices at Elections Bill—Question, Mr. Adair; Answer, The Chancellor of the Exchequer 1879

Parliamentary Reform—Representation of the People Bill [Bill 79]—

Bill *considered* in Committee. [Progress April 12] 1879

Clause 3 (Occupation Franchise for Voters in Boroughs).

Amendment proposed, Clause 3, page 2, leave out lines 4, 5, 6, and 7, and insert

"is on the last day of July then last past, and has during the whole of the two years immediately preceding, been the occupier as owner or tenant of any house, warehouse, counting house, shop, or other building being either separately or jointly with any land within such borough of a rateable value of or exceeding five pounds,"—(*Earl Grosvenor*).

After short debate, Amendment put, and *negatived.*

Amendment proposed, in page 2, line 5, to leave out the words "two years," in order to insert the words "twelve calendar months,"—(*Mr. Ayrton.*)

After long debate, Question put:—The Committee *divided;* Ayes 197, Noes 278; Majority 81.

Division List, Ayes and Noes 1908

Question proposed, "That the words 'twelve calendar months' be there inserted,"—(*Mr. Ayrton.*)

Committee report Progress; to sit again upon *Monday* next.

Corrupt Practices at Elections Bill [Bill 119]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) 1912

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Metropolis Gas Bill [Bill 45]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [11th April], "That the Bill be read a second time upon Monday the 29th day of this instant April;" and which Amendment was, to leave out the words "Monday the 29th day of this instant April," in order to add the words "this day six months,"—(*Mr. Edward Craufurd,*)—instead thereof 1913

Question again proposed, "That the words 'Monday the 29th day of this instant April' stand part of the Question:"—Debate *resumed.*

Metropolis Gas Bill [Bill 45]—continued.

Moved, "That the Debate be now adjourned,"—(*Mr. Ayrton* :)—After short debate, Motion, by leave, *withdrawn* :—Amendment and Original Motion put, and *negatived* :—Motion *agreed to* :—Bill read a second time.

Moved, "That the Bill be committed to a Select Committee,"—(*Sir Stafford Northcote*) 1924

After further short debate, Motion, by leave, *withdrawn* :—Bill *committed*, *considered* in Committee, and *reported*; as amended, to be considered *To-morrow*, and to be *printed* [Bill 129.]

Public Health (Scotland) Bill [Bill 89]—

Moved, "That the Bill be now read a second time,"—(*Sir G. Montgomery*) 1925

After short debate, Motion *agreed to* :—Bill read a second time, and *committed* for *Thursday* next.

Factory Acts Extension Bill
Hours of Labour Regulation Bill

Order for Committee read, and *discharged* :—Bills *committed* to a Select Committee :- *Ordered*, That the Select Committee on the Factory Acts Extension Bill and the Hours of Labour Regulation Bill do consist of seventeen Members.

And, on May 10, Select Committee *nominated* :—List of the Committee .. 1927

British Spirits Bill—Resolution in Committee :—Bill *ordered* (*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer*) 1928

LORDS, FRIDAY, MAY 3.

PRIVATE BILLS—On the Motion of The CHAIRMAN OF COMMITTEES—

Ordered, That no Private Bill brought from the House of Commons shall be read a Second Time after *Tuesday*, the 18*th Day of June* next : and other Orders 1928

COMMONS, FRIDAY MAY 3.

IRELAND—FENIANISM—PETITION OF E. TRUELOVE, AND OTHERS, PRESENTED—

Moved, "That the Petition do lie upon the Table,"—(*Mr. Bright*) .. 1929

After short debate, Motion *agreed to* :—Petition to lie upon the Table.

IRELAND—MOUNTJOY CONVICT PRISON—Question, Mr. Blake ; Answer, Lord Naas 1933

IRELAND—THE IRISH LAND BILL—Question, Mr. Maguire ; Answer, The Chancellor of the Exchequer 1934

ROYAL COMMISSION ON RAILWAYS—Question, Mr. Blake ; Answer, Mr. Stephen Cave 1935

PROPOSED REFORM MEETING IN HYDE PARK—RESOLUTION OF THE REFORM LEAGUE—Question, Sir Charles Russell ; Answer, Mr. Walpole .. 1935

PROPOSED REFORM MEETING IN HYDE PARK — SWEARING IN OF SPECIAL CONSTABLES—Question, Mr. R. J. Harvey ; Answer, Mr. Walpole .. 1936

INDIA—OFFICERS OF THE LATE INDIAN ARMY—Question, Major Jervis ; Answer, Sir Stafford Northcote 1938

REPRESENTATION OF THE PEOPLE BILL—CLAUSE 3—COMPOUND HOUSEHOLDERS —Question, Mr. W. E. Forster ; Answer, The Chancellor of the Exchequer 1939

SUPPLY—Order for Committee read ; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair :"—

REPRESENTATION OF THE PEOPLE BILL—CLAUSE 3—RESIDENCE—Ministerial Statement (*The Chancellor of the Exchequer*) 1939

IRELAND—FENIAN PRISONERS—Question, Mr. Maguire ; Answer, Lord Naas 1945

PROPOSED REFORM MEETING IN HYDE PARK—INTERFERENCE OF THE GOVERNMENT—Observations, Mr. Bright 1955

PROPOSED REFORM MEETING IN HYDE PARK—INTERFERENCE OF THE GOVERNMENT—*continued.*

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "Her Majesty's Government, in refusing the use of Hyde Park for the purpose of holding a Political Meeting, have asserted the legal right of the Crown, and deserve the support of this House in so doing,"—(*Mr. Neate,*)—instead thereof 1963

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate thereon, Amendment, by leave, *withdrawn.*

IRELAND—THE FENIAN PRISONERS—Question, Mr. Maguire; Answer, Mr. Walpole 1987

INFECTIOUS DISEASES—Amendment proposed

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty praying that Her Majesty will be graciously pleased to cause such inquiry to be instituted as may lead to the better distinction between Contagious Diseases and such as are termed Infectious, so as to obviate, as far as possible, the loss, alarm, and injustice consequent on the theory of the infectious nature of certain Diseases when unsupported by demonstration,"—(*Sir J. Clarke Jervoise,*)—instead thereof 1991

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

NATIONAL EDUCATION—Question, Mr. Hubbard, 1995; Answer, Lord Robert Montagu 2000

THE CATTLE PLAGUE—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion that the County of Aberdeen should receive the proportional amount of the Grant which the owners of cattle slaughtered under the compulsory Orders in Council would have received, in accordance with the Privy Council Regulations, had no Cattle Assurance Association been formed within the same,"—(*Mr. Fordyce,*)—instead thereof 2013

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

DESIGNS FOR THE NEW COURTS OF JUSTICE—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is expedient that two professional architects should be added to the Committee appointed for the purpose of selecting a Design for the New Courts of Justice,"—(*Mr. Lanyon,*)—instead thereof 2018

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

SCOTLAND—REPRESENTATION OF THE PEOPLE—Observations, Mr. Moncreiff; Reply, The Chancellor of the Exchequer 2020

Original Motion, by leave, *withdrawn:*—Committee *deferred* till Monday next.

Meetings in Royal Parks Bill—

Motion for Leave (*Mr. Walpole*) 2024

After short debate, Motion *agreed to*:—Bill for the better and more effectually securing the use of certain Royal Parks and Gardens for the enjoyment and recreation of Her Majesty's Subjects, *ordered* (*Mr. Secretary Walpole, Lord John Manners, Mr. Attorney General*); *presented,* and read the first time [Bill 134.]

[SAT FIRST, &c.

LORDS.

SAT FIRST.

Friday, March 29.

The Earl of Eldon, after the Death of his Father.

Tuesday, April 2.

The Earl of Camperdown, after the Death of his Father.

COMMONS.

NEW WRITS ISSUED.

Monday, March 25.

For *Galway Town*, *v.* Right Hon. Michael Morris, Puisne Judge of the Court of Common Pleas in Ireland.

For *College of the Holy Trinity, Dublin*, *v.* Hedges Eyre Chatterton, Esq., Attorney General for Ireland.

Friday, April 5.

For *Middlesex*, *v.* Robert Culling Hanbury, Esq., deceased.

NEW MEMBERS SWORN.

Monday, March 18.

Boston—Thomas Parry, Esq.

Tuesday, March 19.

Devon (Northern Division)—Right Hon. Sir Stafford Henry Northcote, Bart.

Thursday, March 21.

Tyrone—Right Hon. Henry Thomas Lowry Corry.

Monday, March 25.

Huntingdon County—Right Hon. Lord Robert Montagu.

Monday, April 1.

College of the Holy Trinity, Dublin—Right Hon. Hedges Eyre Chatterton.

Monday, April 8.

Galway Town—George Morris, Esq.

Monday, April 29.

Middlesex—Henry Labouchere, Esq.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

Second Session of the *Nineteenth Parliament* of the
United Kingdom of *Great Britain* and *Ireland*
Appointed to meet 1 February, 1866, and thence
continued till 5 February, 1867, in the Thirtieth
Year of the Reign of

HER MAJESTY QUEEN VICTORIA.

SECOND VOLUME OF THE SESSION.

HOUSE OF LORDS,

Monday, March 18, 1867.

MINUTES.]—Public Bills—*First Reading*—Oyster Fisheries * (47); Dublin University Professorships * (48).

Second Reading—Duty on Dogs * (42).

Select Committee report—Hypothec Amendment (Scotland) * (49).

Report — Hypothec Amendment (Scotland) * (49 & 50).

Third Reading—Alimony Arrears * (17); Consolidated Fund (£369,118 5*s.* 6*d.*),* and *passed.*

HYPOTHEC AMENDMENT (SCOTLAND) BILL [H.L.]

(*The Lord Chancellor.*)

Report from the Select Committee, made, and to be *printed* (No. 49): Bill *reported*, with Amendments, and *committed* to a Committee of the Whole House on *Thursday* next; and to be *printed* as amended. (No. 50.)

House adjourned at a quarter past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, March 18, 1867.

MINUTES.]—New Member Sworn—Thomas Parry, esquire, *for* Boston.

Select Committee—On Valuation of Property *nominated.*

Supply — *considered in Committee—Resolutions* [March 15] *reported.*

Ways and Means—*considered in Committee*—Consolidated Fund (£7,924,000).

Public Bills—*Ordered*—Representation of the People; Militia Pay.

First Reading—Representation of the People [79].

Second Reading—Inclosure * [72]; Petit Juries (Ireland) [46]; Mutiny.*

Committee—Criminal Lunatics (*re-comm.*) * [67]; Sale and Purchase of Shares [38] [R.P.]

Report—Criminal Lunatics (*re-comm.*) * [67].

FLOGGING IN THE ARMY.

OBSERVATIONS.

Sir JOHN PAKINGTON: I wish, Sir, with the permission of the House, to give notice of the course which the Government propose to take in consequence of the vote at which the House arrived last Friday evening on the subject of Flogging in the Army. I feel sure that hon. Members on either side will not for a moment suspect the Government of any intentional disrespect towards the House when I say that, whatever the merits of the case may be, one way or the other, considering the importance of this question and the extent to which it affects military discipline, the Government cannot regard a majority of 1 in a House of 215 Members as a deliberate expression of the opinion of the House of Commons. Sir, it is therefore our intention to insert the usual clause in the Mutiny Bill, giving the power of punishing by flogging in the army in certain cases. I wish to give this notice in all fairness to hon. Gentlemen opposite; and I shall leave it to the hon. Member for Chatham (Mr. Otway), and the other hon. Members who supported his Motion on this subject, to move to expunge that clause from the Mutiny Bill if they think fit.

CAPTAIN VIVIAN said, he would beg to ask when the right hon. Gentleman proposes to go into Committee on the Mutiny Bill? The House, he thought, ought to receive due notice of that.

SIR JOHN PAKINGTON: I am not able at this moment to name the day, but due notice of it shall be given.

MR. OTWAY wished to ask the right hon. Gentleman whether the clause he proposed to insert in the Mutiny Bill, authorizing the infliction of corporal punishment, was the usual clause in that Act, or—as he thought he gathered from his remarks—a clause restricting that punishment in some further sense than had hitherto been the case?

SIR JOHN PAKINGTON: The course I intend to follow, and which I thought I had clearly announced to the House, is to insert in the Mutiny Bill the same clause on this subject which it has been usual to insert in it.

ECCLESIASTICAL COMMISSION—CATHEDRAL AND COLLEGIATE CHURCHES.

QUESTION.

MR. BENTINCK said, he rose to ask Her Majesty's Government, Whether the Ecclesiastical Commissioners have taken any and what proceedings for considering the claims of the non-capitular Members of Cathedral and Collegiate Churches which have been presented under the provisions of the Ecclesiastical Commission Act passed during the last Session?

Sir John Pakington

MR. MOWBRAY said, in reply, that in the course of the autumn an application was received from several non-capitular members of cathedral and collegiate churches on the subject to which the hon. Member referred. When the Ecclesiastical Commissioners re-assembled on the meeting of Parliament in February, a Select Committee was appointed to consider the matter, and certain queries were prepared, which were now in progress of being answered.

IRELAND—WATERFORD ELECTION—DISTURBANCES AT DUNGARVAN.

QUESTION.

MR. COGAN said, he wished to ask Mr. Attorney General for Ireland, Whether, in consequence of the instructions given by him on the 16th of February to the Crown Solicitor, in which he advised that a communication should be made to the Colonel of the regiment to have the soldiers who were at Dungarvan, on the occasion when the two men O'Brien and Keily lost their lives, paraded for the purpose of identification; whether any such demand has been made by the Crown Solicitor, and what has been the reply of the Colonel of the regiment? He also wished to ask, whether he has any objection to lay upon the table of the House the Reports taken for the Government by the shorthand writer employed for that purpose, of the proceedings at the inquests held at Dungarvan on the bodies of William O'Brien and Bartholomew Keily?

THE SOLICITOR GENERAL FOR IRELAND (Mr. CHATTERTON) said, in the absence of his right hon. and learned Friend, he had to state that the terms of the minute of the Attorney General in reference to the subject of the hon. Member's first Question were to the effect that if any trustworthy person came forward or could be found who could identify the soldiers who caused the death of these men, a communication should be laid before the commanding officer of the regiment. No such person had come forward, or could be found. He was also in a position to state that if any such evidence could be procured the commanding officer of the regiment would afford every facility for the identification of the men. With regard to the hon. Member's second Question, he had to say that the Reports taken for the Government by the shorthand writer were in the nature of private Reports, and it would not be convenient to lay them on the table of the House.

MR. COGAN said, he would give notice that on an early day he would move for the production of those Reports.

CASE OF MR. CHURCHWARD.

OBSERVATIONS.

MR. SERJEANT GASELEE said, he would postpone till a later day the Question of which he had given notice respecting the appointment of Mr. Churchward as a Magistrate at Dover.

MAJOR DICKSON said, he would beg to ask the hon. Member for Leicester (Mr. Taylor), whether he would be willing to postpone the Motion standing in his name for this day until next Friday, as neither the right hon. Baronet the Secretary for India nor the right hon. Gentleman the First Lord of the Admiralty, who were intimately acquainted with all the facts connected with the renewal of the Dover contract, would be in their places until that day? He thought, in common justice to Mr. Churchward, the hon. Member should comply with that request.

MR. TAYLOR said, he could not comprehend the grounds on which the hon. and gallant Gentleman asked him to postpone a Motion affecting the conduct of the Government. Was he to understand that the hon. and gallant Gentleman spoke on that matter in behalf of the Government? ["Order!"]

NAVY—STAFF COMMANDERS AND MASTERS.—QUESTION.

In reply to a Question from Sir LAWRENCE PALK,

LORD HENRY LENNOX said, that the Admiralty had decided upon continuing the rank of Masters in the Navy, and with that view had commenced the re-entry of cadets of the second-class. The *St. George* had been apportioned for their training. The Admiralty had also had under their consideration a scheme for redressing some of the grievances complained of by the Staff Commanders and Masters of the Navy, and that scheme was nearly complete when the late changes were made; but he hoped it would not be long before they would be able to complete it.

ORDERS OF THE DAY.

Ordered, That the Orders of the Day be postponed until after the Notice of Motion relative to the Representation of the People.—(*Mr. Chancellor of the Exchequer.*)

PARLIAMENTARY REFORM. REPRESENTATION OF THE PEOPLE BILL.

LEAVE. FIRST READING.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I rise to ask leave to introduce a Bill further to amend the Laws for regulating the Representation of the People in Parliament. Sir, the principles of political representation, and especially as applied to the circumstances of this country, have of late years been so profoundly and so extensively discussed and investigated, that it is scarcely necessary on this occasion that I should advert to them. I propose, therefore, to confine my observations to two points. I will endeavour, in the first place, clearly to convey to the House the object of the Government in the Bill which I am asking leave to introduce; and secondly, I will detail the means by which that purpose, in their opinion, can be accomplished. It will be for the House, first, to decide whether that object is desirable; and secondly, if desirable, whether the means which we propose are adequate; and, in the first place, I would say that our object is not only to maintain, but to strengthen, the character and functions of this House. They are peculiar in any popular assembly; not only rare, but perhaps unexampled in any other which has existed. The House of Commons has combined national representation with the attributes of a Senate. That peculiar union has, in our opinion, been owing to the variety of elements of which it is formed. Its variety of character has given to it its deliberative power, and it owes to its deliberative power its general authority. We wish, I repeat, not only to maintain, but to strengthen that character and those functions; and we believe that, in the present age and under the existing circumstances of the country, the best way to do so is to establish them on a broad popular basis. I know that there are some persons in whose minds the epithet which I have just used may create a feeling of distrust; but I attribute the sentiment of alarm which is associated with it to a misapprehension of its meaning, and to that perplexity of ideas which too often confounds popular privileges with democratic rights. They are not identical: they are not similar. More than that, they are contrary. Popular privileges are consistent with a state of society in which there is great inequality of condition. Democratic rights, on the contrary, demand that there should be equality of condition as the fundamental basis of the society which they regulate. Now, that is, I think, a distinction which ought to be borne in mind by the House in dealing with the provisions of the Bill which I am about to ask leave to introduce. If this Bill be a proposal that Her Majesty shall be enabled to concede to her subjects, with the advice and concurrence of her Parliament, a liberal measure of popular privileges, then there may be many of its provisions which will be regarded as prudent, wise, and essentially constitutional. If, on the other hand, it be looked upon as a measure having for its object to confer democratic rights, then I admit much that it may contain may be viewed in the light of being indefensible and unjust. We do not, however, live—and I trust it will never be the fate of this country to live—under a democracy. The propositions which I am going to make to-night certainly have no tendency in that direction. Generally speaking, I would say that, looking to what has occurred since the Reform Act of 1832 was passed—to the increase of population, the progress of industry, the spread of knowledge, and our ingenuity in the arts—we are of opinion that numbers, thoughts, and feelings have since that time been created which it is desirable should be admitted within the circle of the Constitution. We wish that admission to take place in the spirit of our existing institutions, and with a due deference to the traditions of an ancient State.

In dealing with the question of the distribution of power in such a State—which is really the question before us—I would, in the first place, call the attention of the House to that part of it which is perhaps the most important, and which certainly to the greatest extent commands the interest of the public. I allude to the franchise, and especially that which should prevail in towns. I would ask the House at the outset to consider the principles upon which the occupation franchise in boroughs ought to rest, and upon which it is expedient to base it. In 1832 the borough franchise was founded on the principle of value. Those who paid £10 for the house in which they lived, subject to certain regulations as regards rates and residence, had the borough franchise conferred upon them. I believe that franchise may be fairly considered as having been an efficient and satisfactory franchise, and as having in its generation operated with advantage to the country. My own opinion from the commencement has always been that seed was sown in that arrangement which would necessarily in the course of time lead to some disturbance. That is, however, a question of controversy, and I will not indulge in controversy at the present moment. It is, nevertheless, a historic fact that only twenty years after the passing of the great measure of 1832 the principal, or, at least, one of the principal authors of that measure announced in this House that the arrangement which had been entered into, especially with respect to the borough franchise, was no longer satisfactory, and invited us to consider a new arrangement which might command a more complete assent. That is a fact which cannot be denied. The proposition which was made at the period to which I refer in order to allay discontent and meet the requirements of the time by the statesman who, upon the whole, had taken nearly the most prominent part in the passing of the Act of 1832 involved a diminution of the value on which the borough franchise was established. That proposition was received with no satisfaction, and from that period up to the present—and fifteen years have, I think, since elapsed—the question has more or less engaged public attention, and has been taken up by public men who have brought forward various schemes with a view to the solution of the difficulties by which it is surrounded. All these schemes have in their turn proved to be unsatisfactory, and all have been unsuccessful; but every one of them has been distinguished by this characteristic, that the only remedy proposed was a diminution in some form or another, or in some degree or another, of the value on which the borough franchise was based in 1832. The House will easily recall to its recollection the combination of figures which have been submitted to the notice of Parliament on this subject. We had before us £8 and £7 rating or rental; £6 in every form, and we now hear of other figures. No proposition, however, which has as yet been put forward has given satisfaction, because the country, and the House reflecting the feeling of the country, has felt that by none of the changes suggested was a settlement of the question likely to be insured.

Last year a Bill was introduced with the same object as that which I have risen to ask for leave to bring in to-night—namely, to amend the Laws for the Representation of the People in Parliament. That Bill was avowedly not founded on a principle; it was avowedly founded, as far as I can understand, on expediency. The right hon. Gentleman who was its powerful advocate in this House seemed to me always distinctly to have laid it down, in the course of his argument on the subject, that it was necessary there should be an admission of the working classes into the constituencies; that in accordance with a figure which he had fixed upon he calculated that a certain portion of them would be admitted; but that if another figure were adopted which he named he thought the number admitted would be excessive, and he therefore recommended the first figure as that which, upon the whole, would, he thought, furnish the best and safest solution of the difficulty. His proposal, therefore, involved no principle. It might have been an appropriate arrangement, but it was essentially an expedient. The House knows what took place during the long discussions in which we were engaged last year. [*Ironical cheers from the Opposition.*] I infer from that cheer that the House is prepared to recognise the truth of the statement that it was generally felt that the proposal of the late Government afforded no prospect of a satisfactory settlement of this question. A very considerable amount of time was last Session employed in a very unsatisfactory manner, until at length the House took the matter into its own hands, and, in one of the largest divisions which ever took place within these walls, asserted a principle with regard to the borough franchise which was carried by a majority. That principle was that the borough franchise should be founded on rating. The House will admit that the statement I have made is fair and accurate. No one questions for a moment that the Government fully realized the importance of that decision. Of course, if they had not acknowledged its importance, they would not have retired from a position of power; but they felt that the decision at which the House of Commons had arrived was one opposed to the whole policy which they had pursued during the Session. I do not say that every Gentleman on both sides of the House who contributed to that division—I do not say that everyone in a division which numbered above 600 Members, had narrowly investigated and pursued, to the last consequences, all that must follow from the assertion and adoption of that principle; but it happened, as happens in all popular assemblies, that a great decision was arrived at by the unerring instinct of the House. The House felt that for the last fifteen years this question of the borough franchise had not been treated in a satisfactory manner by any Government which had attempted to deal with it, and that the time had come when some principle should be laid down in a distinct and decided manner for the guidance of those who might have to offer propositions to the House on the subject. I take it for granted that if ever there was a decision of the House of Commons which meant something it was that decision which determined the fate of the Ministry; and if anything ever had the character of authority in this House at all, it was the vote arrived at on that occasion. The House, I assume, meant by the decision it arrived at that the person who was to be intrusted with a vote to elect Members of Parliament should be one with respect to whom there should be some guarantee and security for the regularity of his life and the general trustworthiness of his conduct; and the House thought that the fact of a man being rated to the relief of the poor and being able to pay his rates gave that fair assurance which the State had a right to require. I take it that vote of the House of Commons meant this:—If you are going to invest men with the exercise of public rights, let that great trust be accompanied with the exercise of public duty. I take it for granted that was what the House of Commons meant. It meant that the being rated to the poor and the paying of the rates constituted a fair assurance that the man who fulfilled those conditions was one likely to be characterized by regularity of life and general trustworthiness of conduct. That is a principle which the House thought ought not to be lost sight of, but should be a *sine quâ non* in the settlement of the borough franchise.

In having to consider this question, we accepted as a guide that decision of the House of Commons, placing on it what we deemed to be its real interpretation. We believe that the House has resolved and wishes that the borough suffrage should be bound up and united with the duty of paying rates for the maintenance of the poor, and paying them really—that, in fact, a *bonâ fide* rating franchise is what the House of Commons meant by the Resolution it adopted. Accepting the decision of the House with that interpretation, we had to consider how such a proposition could be united with the principle of value, which hitherto was and still is the law of the country with respect to the borough franchise, and which without exception during all the discussions on the subject for the last fifteen years has been accepted by Parliament. The result of this attempt was not satisfactory. In accepting a real and genuine principle of rating as a basis, we found, the moment we endeavoured to connect it with value, disturbing elements—which promised no prospect of solution, and gave no chance of permanency. Therefore, under these circumstances, in the course of consideration we proposed to ourselves to examine the whole question of occupation in boroughs, and see what would be the effect of the application of the principle of genuine rating without reference to value. Let me call the attention of the House to some figures, which will be in the hands of Members immediately and in greater detail. There are in the boroughs of England and Wales 1,367,000 male householders, of whom there are at present qualified to vote 644,000. There would, therefore, remain unqualified 723,000. In applying the principle of a franchise founded on being rated to the poor, and of personal payment of the rates, we found that out of these 723,000 now disqualified, or rather not qualified, for voting under the existing law, we should at once have had to take away 237,000—that is to say, that beneath the £10 line which now qualifies there are 237,000 persons who are rated to the poor and who pay rates, and who if the law were so changed that value should not be an element would then be qualified to vote for Members of Parliament. Now, if you add these 237,000 persons who are rated to the poor, and who pay their rates, to the 644,000 who are at present qualified, you will find that there would be 881,000 persons, fulfilling the required conditions —that is to say, almost exactly two-thirds of the whole of the householders in the boroughs of England and Wales. There would still remain 486,000, who would not be qualified under these circumstances, because they do not pay rates personally. A great deduction must be made from those 486,000 on account of persons who might claim to pay the rates; but a great amount of those 486,000 persons would still remain without the opportunity of being rated to the poor, because there are certain Acts of Parliament, some of a general and some of a local character, by which the landlord compounds for the rates of his tenants, who, in consequence, are called compound-householders, and most of these are under the operation of the Act with the details of which every Gentleman in the House is familiar—the Small Tenements Act. There are fifty-eight boroughs which are entirely under the operation of that Act, and there are ninety-eight boroughs in which certain parishes only are under the operation of the Act. In considering the settlement of the franchise for boroughs, and the possibility of attempting to establish it, not on the fluctuating principle of value, which is only a question of degree which may vary, and which we might be called on to change from year to year, it is impossible not to take into view the peculiar position of the compound-householders. And the question arises, ought a compound-householder to have a vote? Well, Sir, in our opinion, assuming that the House is of the same opinion, that the foundation of the franchise should be rating and a payment of rates, and that that is adopted by the House, not as a check, as some would say, but, on the contrary, as a qualification, and because it is the best evidence of the trustworthiness of the individual, we have no hesitation in saying ourselves that we do not think that the compound-householder, as a compound-householder, ought to have a vote. But, Sir, we are far from saying that any person who is a compound-householder, from the effects of Acts which have been passed for the convenience of vestries, should be deprived of the opportunity of obtaining and enjoying this right which persons in the same sphere of life may have granted to them, and which, for aught we know, these compound-householders may be equally competent to possess and to exercise. And therefore, Sir, we should have to consider whether it would not be possible, in the case of compound-householders who are deprived of rating for the moment by Acts to which I have referred, either of a general or local character—whether it might not be possible to give them the opportunity of accepting the public duty, and in consequence the public right, which others in the same sphere of life and influenced in their conduct by the same conditions of existence might possess; and, taking this general view of the question, seeing the impossibility of settling it on any principle connected with value, and that it is only by taking the rating principle in its completeness and authenticity that you can get one on which you can rest a perfect settlement, our opinion is, and we shall make that proposition to the House, that we should establish the franchise in the boroughs on this principle, that any man who has occupied a house for two years, and been rated to the relief of the poor and pays his rates—every householder under these conditions should enjoy the borough franchise. By that means the 237,000 persons who are now rated and pay their rates would, of course, be at once qualified. But with regard to the compound-householders, we propose that every facility shall be given to them—that they shall be allowed to enter their names upon the rate-book, to fulfil the constitutional condition to which I have adverted, and then they will, of course, succeed to the constitutional right which is connected with it. Sir, if we pursue that course you have your borough franchise fixed upon principle; you know where you are; you know that the power of electing Members of Parliament must be exercised by men who, by their position in life, have shown that they are qualified for its exercise. And meeting the difficulty of compound-householders by the provisions which are in the Bill, and which will give them every facility to claim the exercise of the same right on condition of fulfilling the same duty, the whole of the 723,000 householders in the boroughs of England that are at present not qualified to vote for Members of Parliament will be qualified by the Bill I am asking leave to introduce. Nor will there be a man among them, who, if he deserves the franchise, may not possess it. Now, Sir, I have heard many observations made on this question of the compound-householders; but the arguments, though plausible, amount only to this — those who wish that compound-householders should not qualify themselves for a vote upon the constitutional condition which we propose as the means by which the right should be obtained really, in fact, make one assumption on which all their remarks are founded, and that is this, that the working classes of this country are really so little interested in the possession and exercise of the suffrage that they will not take the slightest trouble in order to avail themselves of it and possess it. Well, that may be the opinion of those who make such observations, but it is not the opinion of Her Majesty's Ministers. We believe that the feeling of the great body of the people on this subject is very different—that it is a feeling very likely to increase in this country, and that the conditions which we have laid down as those which should qualify a householder in a borough for a vote are consistent with the security of society, and are at the same time conditions which would be agreeable to the mind of every industrious man of integrity.

Now, Sir, I may recapitulate to the House for a moment the figures we have to deal with, because such vague assertions are made in the absence of correct statistics of voting and of householders that it is well that the House should bear them in mind. There are, as I have said, 1,367,000 male householders in the boroughs of England, and at the present moment 644,000 of them are qualified.

MR. BRIGHT: May I ask the right hon. Gentleman whether these houses include warehouses and shops?

THE CHANCELLOR OF THE EXCHEQUER: They are houses — dwelling-houses. I am referring to the male occupiers of dwelling-houses. Of the remaining 723,000, if the House accedes to the Bill I have to introduce, 237,000 now rated to the relief of the poor and paying their rates would immediately be qualified to vote; and in the case of the 486,000 who are compound-householders, facilities would be afforded to them, if they chose, of claiming their vote—that is to say, of inserting their names in the rate book, and paying their rates, and then they also, as a matter of course, will succeed to the enjoyment of the right. Well, Sir, that appears to me to be the only solid foundation upon which you can settle this question of the borough franchise. I have heard nothing which gives me any hope that any other plan can be offered which involves at the same time the principle that society has a right to ask that the person who exercises the suffrage is not a migratory pauper; and as regards settlement, I can see no satisfactory settlement unless you lay down the principle that every householder who fulfils the constitutional conditions to which I have adverted proves himself one qualified for the possession and exercise of such a trust; unless you take that settlement I can see no chance of this question being ever settled.

Now, Sir, there is a plan which I am told at this moment is popular among certain persons. Indeed, there are a great many plans, both as regards the suffrage, distribution of seats, and other matters, which I have no doubt will come before the consideration of the House, and when they do it will be very much for the advantage of those who introduce them to our notice, for I believe these subjects never can be better understood than after a discussion in the House of Commons. But there is a plan, I am told, popular with some persons, and which is held forth as a more satisfactory settlement of this question than the one I have proposed on the part of the Government, and that is what is called the £5 rating—that the suffrage should be established on a £5 rating. Now, Sir, I must say, having had very much to consider these questions, I know of no Serbonian bog deeper than a £5 rating would prove to be. Just let the House see how it stands. In the present state of the law, as I shall show to the House, if the interpretation we have placed on the great vote of last year be a sound one—and if it be not a sound one it proves the House of Commons was trifling with the question, there really is no such thing as a £5 rating: you let in a very large and very indiscriminate number to the enjoyment of the right without the preliminary performance of duties, and when they are let in you leave a great many behind them, who, because others are let in, immediately cry out to be admitted. Then where is your settlement? There is no more reason why a £5 rating should give a qualification than one of £4. But then I am told that this great difficulty is to be entirely overcome by a violent change to be effected in the law of England. Nominal £5 raters are to be turned into *bonâ fide* £5 raters by the operation of the law, and no Englishman who pays less than that sum is to enjoy the privilege of voting. All below that line are, in fact, to be taken out of the sphere of self-government, and deprived of the opportunity which the humblest now possesses, and would possess under the plan we propose, of performing public duties, and consequently of obtaining public rights. I can imagine no scheme more injurious —I may say more fatal—than a proposition of this kind; and it seems to me that if we were to adopt it manhood suffrage would be the logical and necessary consequence, and that every man who finds that he is in a position in which he may not be permitted to fulfil a constitutional condition which may give him a constitutional right would naturally fall back into the arms of the lowest agitators, and feel that his only chance of ever obtaining the rights of constitutional citizenship would be by a process which has not hitherto been recognised by any authorities in this country.

I have now expressed to the House, as far as the occupation in boroughs is concerned, upon what principle we recommend the borough franchise to be founded. It would make at once 237,000 persons qualified for the suffrage, and would allow all who were not rated before to avail themselves of the right, and so, if they chose, to become electors. But it is said, and it has been said by a very high authority—one for whom I have a great personal regard and respect, although, considering what a high authority he is, I think he sometimes makes, especially with regard to his opponents, very reckless remarks—that the plan of the Government, with which that high authority at the time he said it was really unacquainted, and for which he might have waited, was an assault upon the rights and power of the middle classes. It is certainly not the intention of Her Majesty's Government to introduce a measure which shall make such an assault. Her Majesty's Government are anxious that, on the one hand, the aristocracy, and on the other hand the working classes, shall have their due share in the Parliamentary constitution of the country; but they recognise with sincerity the extreme expediency of the principle that the influence of the middle classes of the country should not be diminished. The Government look to the steady virtues of those classes to exercise a right bias on the constitution of the country, and they believe that the authority which those classes obtained in a great degree under the Act of 1832, has been exercised wisely, worthily, and to the advantage of the country at large. But if there be, by the proposition which I have to make, any chance such as has been intimated by this great authority, why, I think that we meet it by a proposition to institute a franchise founded on a most popular principle, and one of which the middle classes must largely partake—that is, the franchise founded on the payment of direct taxation. We propose that every person in England who pays 20*s.* a year direct taxation shall possess a vote.

MR. GLADSTONE: Whether he be a compound-householder or not?

THE CHANCELLOR OF THE EXCHEQUER: Everybody who pays 20*s.* annually in direct taxation shall have a vote. Thus we build up the constituency which would establish the franchise in the boroughs upon two great principles—the payment of direct taxation, and the payment of rates. But it has been urged that the enjoyment of this franchise, founded upon the payment of direct taxes, is one which would not be enjoyed as intended in a great degree by the class whose influence, it is said, our proposition may assail; that is to say, that most of them are householders, and therefore they would not enjoy this franchise. Therefore we meet that objection by proposing that a person who pays 20*s.* direct taxation, and who enjoys the franchise which depends upon the payment of direct taxation, if he is also a householder and pays his rates, may exercise his suffrage in respect of both qualifications.

MR. GLADSTONE: I wish to ask a question very material to the complete understanding of this subject, and that is, whether a compound-householder not paying his own rates, but paying direct taxes to the requisite amount, will have a vote in respect of the payment of direct taxation?

THE CHANCELLOR OF THE EXCHEQUER: He would, of course, have a vote in respect of the franchise which he enjoys as a payer of direct taxation, and if he chose to pay his rates in addition, then he would have two votes. Now, Sir, before I give to the House a general summary of the result of these franchises upon the borough constituency, there are yet some other franchises with which the House is familiar, but which I again wish to recommend to its consideration. [MR. ROEBUCK: Will the right hon. Gentleman explain what he means by direct taxation?] I mean the payment of income tax and assessed taxes. But I wish to observe that it will not include the qualification which was so humorously referred to by an hon. Gentleman the other night, because it will not include anything which is paid under licences of any description.

There are other franchises which we also propose. The House is already acquainted with them, and although they are not of vast importance, still I think they are founded upon right principles, and I hope the House will candidly consider them. The vote which we wish to found upon the possession of £50 property in the funds or of £50 in savings banks constitutes property qualifications of this character; that is to say, we will give to small holders of personal property the same privileges which the small holders of real property have, and, as a man possessed of a 40*s.* freehold has a vote, we think that the person who has an equivalent property of a personal character should also have a vote. We think that by this means a vote would be intrusted to a body of persons belonging chiefly to the working classes, who would exercise the privilege to the advantage of the country. Then there is the educational franchise. It has been said that if you introduce a suffrage founded upon the payment of direct taxation that it would supply means for exercising the vote to those persons who otherwise would have it under the educational franchise. To a certain degree there is truth in that; but having taken some pains to investigate what would be the operation of such a franchise, I am bound to say that there are many persons in whose condition the House would be deeply interested, some of whom would not have any opportunity, either as householders—and this would be peculiarly the case in counties—or as payers of direct taxation, of exercising the suffrage, but who are peculiarly qualified to exercise such a trust. Among others, the position of ministers of religion is very remarkable. I am speaking of ministers of all sects. I find men who entirely devote their lives to solace or to elevate the sense of existence are men who under this franchise would exercise, and I think admirably exercise, a certain degree of political influence, but who, either as householders or as payers of income tax especially to the amount of 20*s.*, would certainly be debarred from the franchise. I therefore trust that the House will allow these three franchises to pass.

I do not think that it is our business to act the part of electioneering agents, and to make estimates, always of a most speculative character, of the number of persons who will vote under the plan we propose. That is not our business as Ministers in Parliament. We are to see who, under the laws of this country, are to have the opportunity of acquiring a vote. And allow me to remind the House of the nature of the arguments which are always used by those who are the promoters of increased suffrage. They are always founded upon the number of the population. But the business of the House of Commons in proposing or in passing laws upon this subject is to ascertain as far as possible the number who will be admitted under the particular measure. They are not to estimate a thing which, after all, can only be done in a speculative manner —the number who may be tempted, in consequence of the passing of the Bill, to register their suffrages. Their business is simply to pass those laws which they think will conduce to the welfare or safety of the country. Well, I say that if this Bill be carried there is not a man, whether he be a ratepayer paying a rental of less than £10, or a compound householder, who may not qualify himself if he choose. In the new boroughs to which I will afterwards advert the estimated number of voters will be 68,000. The number of direct taxpayers who would probably vote in boroughs will be very considerable. The public departments have no means of offering to the House any recent information upon this subject, and it would probably take months to obtain any. Making due allowance, however, for the increased property and assessed taxes—probably at the rate of 23 per cent—since Mr. Macaulay's Returns were made to the House, I should think that the number who would qualify in boroughs would greatly exceed 200,000. [Mr. GLADSTONE: From direct taxes.] Yes, from direct taxes. The educational franchise would in the boroughs give 35,000 voters, the fundholders' franchise 25,000, and the savings bank franchise 45,000. You would thus have more than 1,000,000 voters who could qualify themselves in the boroughs for the exercise of the franchise. It has been said that they will not choose to avail themselves of that great right. I regret to hear that opinion, but I venture to doubt its correctness. But still, whatever may be our opinion, it is the duty of the House so to deal with this question that those whom they believe to be qualified for the exercise of this privilege shall have that opportunity, and the duty of Parliament ceases when that has been accomplished.

I will now proceed to consider the question of the county franchise. We propose that these new suffrages shall be extended to the counties; but in consequence of the great difference which prevails between counties and boroughs, we do not propose, under any circumstances, that any person should exercise the privilege of voting twice. I now come to the consideration of the amount of the occupation in counties. When I last made some observations to the House upon this subject I stated that Her Majesty's Government thought, on the whole, that the county qualification had better be placed at £20 rating. When I made that statement I made it with a feeling on the part of the Government that the opinion of the House of Commons ought to be consulted upon the subject, and because, also, they believed that the House had never had the opportunity of arriving at any decided opinion upon the matter. ["Oh!"] The question was really never put fairly before the House. When the hon. Member for Surrey and others came forward with propositions to reduce the occupation for counties to £10, the House was always asked to consider those propositions in an isolated manner. Now, we thought, and I believe that the House has been long of the same opinion, that this question ought to be considered in conjunction with those of analogous character, and ought not to be treated in an isolated manner. They depend upon each other, and I look upon all those attempts to reduce the county franchise as barren of results, and as a proof of the correctness of that opinion I may remark that they have been barren of consequences. No one ever felt that a satisfactory settlement would be likely to result from those debates. Last year there was an opportunity when the Reform Bill was before the House—when the mind of the House was accustomed to consider in all its details and in all its ramifications the principles of Parliamentary representation—there was, I say, at that time a fair opportunity for discussing this question in a satisfactory manner, and for arriving at a satisfactory settlement. But this subject, always unfortunate, was never more unfortunate than on that occasion, because a great party scene and division took place at the beginning of the evening destined for its discussion. It was brought on in a languid House—["Oh, oh!"]—in a very thin House. ["Oh, oh!" *and* "Hear, hear!"] It was decided, I grant, in a very full House; but it was discussed in an unsatisfactory and feeble manner. ["Oh, oh!"] My opinion is a perfectly impartial one, for I myself took part in the debate. The division was taken in a full House, and the majority was not only a very slight one, but the question was decided upon a principle which the result of the Session showed was not the conviction of the House of Commons. ["Oh, oh!" *and cheers.*] Well, if the House of Commons meant anything else, it meant that rating should be the principle of the franchise; and I believe that that decision has been received by the country as one of the soundest at which the House of Commons ever arrived. Well, Sir, we should have been glad if the question had been calmly and completely discussed; and, at whatever opinion the House of Commons had arrived, we should have accepted that opinion as a wise and a sound one. In endeavouring, however, to bring forward a complete measure, and as far as we can to offer a definite and definitive position to the consideration of the House, Her Majesty's Government gave much attention to this question of the county occupation franchise; and, on the whole, they believe that the qualification that would be most advantageous and most satisfactory would be a £15 rating, and that is the amount at which they are determined to fix it. That would qualify 171,000 additional householders for the exercise of the franchise. The savings bank franchise will give 40,000; the fundholders' franchise, 25,000; and the educational franchise, 44,000 voters. A very large number, exceeding 150,000, will vote in virtue of the payment of direct taxes. No doubt many of these would possess double qualifications, but there will still be an addition to the county franchise of upwards of 300,000 voters.

I have now occupied the attention of the House with a subject which I am afraid is at no time entertaining, and which, when the conclusions have been to some extent foregone, must possess less attraction than ever; but I have placed before the House, I hope, with some clearness, the proposal of the Government. There is another part of the subject of very great interest, on which, although to-day I am anxious to touch upon nothing but what is necessary, it is requisite that I should make some observations, and that is the distribution of seats. Now, Sir, that is a question that very greatly interests the public mind; and I know there are Members on both sides of the House who take a very deep interest in it. The proposition which I made upon a previous occasion has been described as quite inadequate to the occasion and to the circumstances in which the country is placed; and we have heard that it is an insufficient response to the demands of the public voice. I am perfectly ready to meet those objections, though I have no desire upon an occasion such as this to invite controversy, for I have no doubt there will be opportunities hereafter for entering upon matters of detail. It is said that there should be a much larger scheme of disfranchisement; that at the very least every town of 10,000 inhabitants or less should lose a Member; and some say we should even go further than that. We are also told that a third Member should be given to many places, and thus, by a process of disfranchisement and cumulative votes, at last a perfect representation of the people would be accomplished. We have given that subject the great consideration which it deserves. My own opinion is that the votaries of this new system are not very numerous in the country, and I doubt whether they are very numerous in this House; but its advocates are no doubt in many cases men of distinguished ability and high character, and persons whose opinions upon any public subject will command and demand attention. But whatever may be the number of those persons who advocate three-cornered constituencies and cumulative voting, there is no doubt that a very great noise has been made by them. I am willing to admit that, as far as the articles and the letters in the newspapers are concerned, the question is settled; but I have always observed that those articles and letters—I do not wish to speak slightingly of them, for I have written leading articles for newspapers myself—have one distinguishing characteristic, and that is that they always assume there is only one side of a question; but their writers are wise in their generation, because if they did not act on that assumption nobody at the moment would read their productions. As, then, the question of three-cornered constituencies and cumulative votes has been brought before the consideration of the House, I, and others who are near me, will meet the question frankly and fully. The House will not, I am sure, permit the introduction of any controversial matter upon the present occasion; but it has a right to hear the opinions of the Government upon a question, and therefore I say that, having considered the matter without prejudice, and, having completely and thoroughly tested it at every point and tried it in every quarter, our opinion is that the scheme is erroneous in equity, and would be so in practice. Sir, there are only two courses to follow if you wish to improve the representation of the people by a re-distribution of seats; there is no middle course. You must either create a new electoral map of England, or you must deal practically with the circumstances before you, and follow the line to which I at this moment refer, and which I think the Government has followed. With regard to the proposition that there should be a complete revision of the representative system of the country as far as electoral localities are concerned, if I may be presumed to give advice to the House of Commons, I would say do not make that a question to be settled by a Parliamentary majority, or accepted on the authority of any Ministry whatever. It is a subject too vast and too deep for us to treat of and deal with without preliminary investigation conducted by persons of the highest standing, and character, and experience, and learning in the country. When in possession of the result of their accumulated knowledge and of their mature thought and great experience, a popular assembly might weigh their opinions, and a practical Ministry might embody their Resolutions. There is no other means by which you can deal with this proposition; but if you are not of opinion that the electoral map of England should be re-constructed, then you must proceed prudently and practically; you must inquire what unrepresented places ought, fairly speaking, to be represented, and you ought not to lose the opportunity then offered of giving the teeming multitudes of the counties as far as you can that direct representation which they want, and which indirectly I admit they possess. These are the two practical points which you ought to have before you. There is no medium between dealing with the whole question in a vast and solemn manner by means adequate for the settlement of so great a matter, and the prudent, practical method which I mentioned. Well, Sir, we are not prepared to take the first course, although I do not say it is unworthy of deep and respectful consideration; we therefore propose to follow the second, and we have found towns in this country which we think ought to be represented, and whose representatives would bring fresh vigour to this House. The population of the counties, invigorated and vivified with the new franchises which you are giving it, will demand direct representation in this House, and you ought to move in that direction as far as you can, so that counties may no longer be said to be represented only indirectly by small boroughs. I am of opinion that this may be done without any very serious disturbance of your representative system. Whatever you do, your representation must be fairly distributed over the country; if you give a greater preponderance to one part at the expense of another you create two nations; there will be a want of sympathy and cordiality between the parts, and you will, in fact, be going back to the principles of the Heptarchy. Although I have read the names of the places we propose to enfranchise before, with one exception, I think it becoming to repeat them with the addition of the place that before was wanting. We propose, then, that by the thirty seats that will be obtained by the process of disfranchisement we shall give a representative to Hartlepool, Darlington, Burnley, Staleybridge, St. Helen's, Dewsbury, Barnsley, Middlesborough, Wednesbury, Croydon, Gravesend, and Torquay, and two to the Tower Hamlets. In respect to the counties, we propose to divide North Lancashire, North Lincolnshire, West Kent, East Surrey, Middlesex, South Staffordshire, and South Devon, and give them two Members each, and, dividing South Lancashire, also, we propose to give it an additional Member. We also propose to give a seat to the London University.

I have placed before the House the principal features of the Bill which I am asking to introduce. The Bill itself will be in the hands of hon. Members to-morrow, and then they will be perfectly well qualified to form an opinion upon the manner in which the principles I have laid down are acted on. I hope that the House will candidly consider this measure. As far as we are concerned, we have spared no pains, no thought, and have not shrunk from what was more important, perhaps, in endeavouring to bring it before the House. I will not advert unnecessarily to the circumstances attending the framing of this measure which has now been brought before the House of Commons, under very great difficulties and at very great sacrifices. I do not wish to disguise that I have felt great chagrin and great mortification in connection with what has taken place; but I believe I have done my duty, and under the circumstances I do not think I could have done other than I have. In attempting to bring the question to this point we have lost those whose absence from our councils we more than regret; we have had to appeal to a high-spirited party to make what no doubt to some was to a certain extent a sacrifice of principle, much sacrifice of sentiment, and much sacrifice of interest. But we have not appealed in vain, because the Members of that party were animated by the same feeling which influenced us—a sense of duty and conviction; they felt that the time had arrived when this question must be dealt with, and settled extensively and completely. I hope, therefore, the House of Commons will give this measure a fair and candid consideration. We believe it is one which, if adopted in spirit, will settle its long differences; and that it is qualified to meet the requirements of the country. I am told for certain that there are objections against it; but I beg to remind the House of the distinction which we draw between popular privileges and democratic rights. I am told that in this measure there are checks and counterpoises, and that it assumes in this country the existence of classes. If there are checks and counterpoises in our scheme, we live under a Constitution of which we boast that it is a Constitution of checks and counterpoises. If the measure bears some reference to existing classes in this country, why should we conceal from ourselves, or omit from our discussions, the fact that this country is a country of classes, and a country of classes it will ever remain? What we desire to do is to give every one who is worthy of it a fair share in the government of the country by means of the elective franchise; but, at the same time, we have been equally anxious to maintain the character of the House, to make propositions in harmony with the circumstances of the country, to prevent a preponderance of any class, and to give a representation to the nation. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

Moved, That leave be given to bring in a Bill to amend the Representation of the People in England and Wales.—(*Mr. Chancellor of the Exchequer.*)

MR. GLADSTONE: In any words, Mr. Speaker, which may fall from me on this occasion, it will be as far as possible from my intention to impugn or question the assertion of the right hon. Gentleman the Chancellor of the Exchequer that he has been acting under difficulties, and that he believes he has done his duty. He has been acting under difficulties; and I, for one, would give him full credit when he says he considers he has done his duty. Neither is it my intention in anything that may fall from me to prejudge the question of what course it may seem right in any Member of this House to take, or what course I, myself, may be compelled to take, in reference to the measure of the right hon. Gentleman. I think that till the Bill of the right hon. Gentleman is in our hands—and he has promised that it will be in our hands to-morrow morning—it is impossible to arrive at any conclusion, or to enter fully into the question with such an amount of knowledge as the gravity of the circumstances demand. But, Sir, having said that, I must frankly state that the impression made on my mind by the statement of the right hon Gentleman is, in many respects, a perplexed one, and is not on the whole a pleasing one. We commenced the Session with happy and cheerful anticipations. When the Resolutions of the right hon. Gentleman were produced we waived every question and every difficulty, except only the desire we entertained that a definite meaning should be attached to those Resolutions. When the right hon. Gentleman, acceding very fairly to the general desire expressed by the House, produced the skeleton of a Bill, no difficulty was raised on this side of the House with regard to the principle of that Bill. It never was in print; but the statement which I had the honour to make, and which I know expressed the general feeling on this side of the House, was that from the description given of it by the right hon. Gentleman, I hoped when we saw it in print we might find that—though there might be points—and, perhaps, many and serious points—which should be raised on the provisions of the Bill—yet that those points might fairly be considered in Committee. But though this is the fourth day of our progress—or, if not our progress, of our proceedings—with reference to the Reform question, I am afraid, to use a homely phrase, that the right hon. Gentleman has only "led us still deeper into the wood." I will now endeavour to state the impression which, in one or two respects, the Bill which the right hon. Gentleman proposes to introduce makes on my mind, as far as I understand it, and with due regard to the correction which to-morrow morning will supply. On ordinary occasions, after hearing a statement of this kind from the organ of the Government and the Leader of the House, the course would be to say little; but on the present occasion the circumstances are peculiar. Many of the propositions—the main propositions—of the Bill have obtained so remarkable a publicity, that it has been our duty to apply ourselves, availing ourselves of the information we had obtained, to a consideration of the measure. With the aid of the knowledge we have thus obtained beforehand of the principles of the Bill we have now acquired a more complete—though still an incomplete view of its nature—than we could have had if we had been depending simply on the statement of the Minister. About three days ago a meeting of the more select spirits was held in Downing Street. A portion of the information imparted to that meeting found its way even to us, the mere mob of the House of Commons. ["Oh, oh!"] As my observation is questioned by several hon. Members, I must add to it this remark—that, so far as I know, after an experience of thirty-four years, it is a practice entirely novel for a Minister of the Crown to gather in his house those Members of Parliament who he thinks agree with him, and state to them, days in advance of the House of Commons, the particulars of a great measure which it is his intention to submit to Parliament. I had not intended to make that remark, but I am justified by the circumstances of the case. This is an innovation, and it is an innovation which is not an improvement. I hope, therefore, that there will be much consideration before it is repeated. However much we lacked that advantage, I grant that the privilege accorded to those who assembled in Downing Street was not quite so complete as it might have been, because we likewise had the advantage of a still more singular revelation which had been conveyed two days before to a favoured constituency, which put them and the country in possession, four or five days beforehand, of almost every point of the great and cardinal political measure which was to be submitted to-day to the House of Commons. Thus we have had an opportunity of considering the main provisions of the Bill to some considerable extent; and yet with respect to this most cardinal and vital measure—as I will endeavour to explain—my mind remains up to this moment, after having anxiously endeavoured to catch every word which fell from the right hon. Gentleman, in a state of obscurity and perplexity. In order to narrow the ground, I pass by those propositions which need not now be discussed. The right hon. Gentleman in his final measure proposes in counties a £15 rating franchise, forgetful that he had told us his great object was to proceed on principle, and that every figure was an expedient. I will confess I was amazed and amused at the facility with which the right hon. Gentleman, looking back at two decisions of the House of Commons in Committee last year, arrived at within a few nights of each other—one in favour of rating, and the other in favour of rental as a criterion of the value of the house to which the suffrage should be attached—objected to one of these decisions as merely an insignificant accident, but accepted the other as the deliberate opinion of Parliament. I shall not dwell upon that point; neither shall I now discuss the right hon. Gentleman's plan of re-distribution of seats, further than to say that I think it is inadequate to the circumstances of the case, and to the exigencies of the country. The right hon. Gentleman has stated that there are great difficulties in arriving at a sound scheme of re-distribution. I admit the difficulties of the question; but this is a matter which we may consider hereafter, and which may not unsatisfactorily be dealt with in detail. I stated that as my opinion last Session, when it was in favour of the Government with which I was connected. I still adhere to and stand by it. I pass by also the collateral or by-franchises—the secondary franchises, as they may be called—the 20*s.* direct taxes franchise, the educational franchise, the £50 fund franchise, and the £50 savings bank franchise—which, by the way, has grown from £30 within the last fortnight. I pass by those franchises with this simple remark:—While I, of course, fully believe in the good faith with which the Chancellor of the Exchequer gives us the results which he expects from those several franchises, I must entirely decline to accept his figures. Without questioning the right hon. Gentleman's good faith, I look upon those figures as wholly erroneous and visionary. To speak frankly, I look upon three-fourths of the enormous number of voters whom he paraded in different regiments—as 20*s.* direct taxes men, educational franchise men, £50 fund men, and £50 savings bank men, who are not enfranchised by any other means—this is not a question of dual voting—as little more than men in buckram. My objection is to the estimate of the right hon. Gentleman. The principle of those votes is open to a great deal of comment, which need not be entered upon on this occasion. The vital point is the borough franchise, and to that I will confine the remarks which I feel called upon to make. The right hon. Gentleman, after a preface in which he dealt in general terms—and, as I thought, in very unexceptionable terms—chiefly on the subject of the British Constitution, has propounded to us to-night a theory which, I confess, is to me wholly novel—that the great security of this venerable Constitution, which has so long been the glory of England and the admiration of the world—if I may borrow those words which are ordinarily used in the speeches at every public dinner throughout the country—really depends upon what the right hon. Gentleman calls the principle of rating. And the right hon. Gentleman says that last summer the House of Commons, by its unerring instinct, and without knowing it, established this great principle of rating. And how did it establish it? How did the House of Commons, then, taking a leap in the dark—to use a phrase much in fashion last year—become so fortunate as to arrive at this blessed result? Why, Sir, the right hon. Gentleman says it was done by adopting the Motion made by my noble Friend the Member for Galway (Lord Dunkellin), the effect of which was that the basis of the franchise was to be found in admitting to the constituencies only men who were rated to the relief of the poor and who paid their rates. These are the two columns of the Constitution, and these two columns were built up on the night when my noble Friend succeeded in defeating the measure of the Government. Well, Sir, I go back to the Motion of my noble Friend the Member for Galway, and I affirm that it had no more to do with either the one or the other of those columns of the Constitution than chalk has to do with cheese. The Motion of the noble Member for Galway simply provided that the pecuniary measure of the franchise should be founded upon rateable value instead of gross estimated rental. It was perfectly indifferent as far as that Motion was concerned, whether a man were rated or not, and whether he paid his rates or not; and under the terms of the Motion of the noble Lord I would undertake to get rid completely of all personal liability to rating and obligation to pay rates. But this is not all. This was distinctly stated in the debate. It was stated by me at the commencement of the debate, and admitted by every speaker who took part in the discussion, and yet the right hon. Gentleman the organ of the Government has now discovered, contrary to the sense of everybody who paid the least attention to the matter in hand, of everybody who had listened to any portion of the speeches delivered that evening—that, in short, the House of Commons was led by an unerring instinct, which it did not understand—which we did not understand—and which, at the time, he did not understand—to make the affirmation that rating was the great principle of the British Constitution. ["Hear, hear!" "No, no!"] I should not, however, have dwelt on this matter if it had had only a retrospective interest; but the truth, Sir, is that this is a very grave question. It is a question which involves a great deal of detail, and upon it depends the entire character of the Bill of the right hon. Gentleman. He says he is going to enfranchise 237,000 persons who are rated to the relief of the poor and who pay their rates; and he insists upon taking the gross numbers comprised in each class, quite irrespective of the fact that some whom those numbers include are on the register already, that others whom those numbers include cannot possibly get on the register because they have not resided and paid rates for the requisite time; and that others whom those numbers include are absolutely incapacitated for being placed on the register on account of their being habitually excused from the payment of rates in consequence of their poverty. In perfect defiance of all these plain facts, however, the right hon. Gentleman has to-night shown a great taste and faculty for making an army on paper, and to-night accordingly he marches out into the arena these 237,000 men. Now, these include a very considerable number of freemen. They likewise include a very large number of persons who cannot possibly be registered on the account of the frequency of their migration, and on account of their period of residence being too restricted to qualify them. Without entering at this moment into any details, I will venture to say that of these 237,000 men, in point of fact not as many as 140,000, when you have made the necessary deductions, will be added to the register. And those who recollect the difference between the 644,000 male occupiers now upon the list at a value of £10 and upwards, and the 451,000 householders who are actually upon the register, will at once perceive my meaning. However, the enfranchisement of about 140,000 persons who are occupiers under a £10 rental is the whole certain and immediate effect of the plan of the right hon. Gentleman as long as he keeps on the foundation of what he describes as the British Constitution. But I was astounded when the right hon. Gentleman descended from the pedestal of the Constitution on which he had seated himself and dealt with the case of the compound-householder. He said that the compound-householder was, after all, as good a man as anybody else; he might be competent to enjoy the franchise and to fulfil his duties as a voter; but as the owner of the property by paying the rates has deprived him of the position which he would otherwise hold, we will, says the right hon. Gentleman, give the compound-householder every facility. The right hon. Gentleman then boldly proceeded to place upon his list of enfranchised citizens 486,000 persons who do not pay rates, but who come under the description of compound-householders. But, if that is so, where is this great principle of the British Constitution? What is the use of talking about the value of rating and setting forth doctrines like that which the right hon. Gentleman propounds when he talks of the completeness and authenticity of this principle? when he talks of the duties which ratepayers have to discharge and which less fortunate members of the community do not discharge? What is the use of setting up a principle in order to knock it down again? The right hon. Gentleman frankly says he thinks those persons who are not ratepayers just as much entitled to be enfranchised as those who are. ["No, no!"] Several hon. Gentlemen opposite say "No;" but if they will give me a little time I am coming to their method of construing the speech of the right hon. Gentleman. But I have already followed the right hon. Gentleman through two phases of his speech—the first, in which he described the importance and almost the sanctity of the principle of rating as the basis of the British Constitution; and the second, in which he humanely pleaded in defence of the compound-householder, saying that he was as good a man as anybody else, and ought to be placed in as favourable circumstances as anybody else. Now, I will endeavour to make out an approximation to the views of several Gentlemen who do not agree with me as to the proper construction to be put upon the speech of the right hon. Gentleman. Compound-householders are to have every facility for being registered. ["Hear, hear!"] Well, I should say that the only natural meaning of that term is, that as the names of all the compound-householders are for the most part, and ought to be in every case, entered in the ratebook, the obvious meaning of giving them every facility is that when they are in possession of the necessary qualification they ought to be carried on to the register. That is what I call giving every facility to the compound-householders. But what does the right hon. Gentleman call giving every facility to the compound-householders? He said that they must make their claims, that they must insert their names, and that they must pay their rates. ["Hear, hear!"] I am astonished—I am astounded to hear those cheers. Can Gentlemen have considered the meaning of that manifestation? You say that it is his duty to go and pay to the parish officer the rate which he has already paid in his rent. ["No, no!" *from the Ministerial Benches.*] You do not say it, then; I am very well pleased at that denial—but what is the meaning of giving them these facilities? I am afraid the meaning of them is this—perhaps it is that the compound-householder is to be fined in the difference between the rate which the landlord is bound to pay under landlord's assessment and that which constitutes the amount he would have to pay if individually rated. But, whether he does that or not, I know very well that unless the right hon. Gentleman will adopt the simple mode of enfranchising compound-householders which he may read in the Bill of last year, there will be two processes at variance with each other—absolutely as different as black from white—in many towns in the country, and dependent solely on the view which the local authorities take of the matter. Did the right hon. Gentleman in the course of his studies on this subject examine the Returns which have been in his hands for a week? Turn to the borough of Lambeth. The right hon. Gentleman will find in that single parish 5,781 compound occupiers on the

Parliamentary register. Let him go on to the parish of St. Giles, Camberwell, and there he will find, at page 152 of the blue book of last year, which I am afraid he has not read as carefully as I have, that 4,921 tenements at and above £10 rental are rated to the owners instead of to the occupiers, and that at present there are only five of such occupiers on the register. And why? Is it because the people of the parish of St. Giles, Camberwell, are sluggish and indifferent about their political privileges, while the people of Lambeth are animated by such a lively fire of patriotism that 5,781 of them have been to the overseer and taken pains to have their names inserted on the register? Or is it because the different processes pursued by the local authorities in different parishes have resulted in placing, in one case five compound-occupiers, and in the other case 5,781 upon the register? Am I to be told, at this time of day, after all the stages this question has passed through, after turning it over and over and over again, after parting with three of your Colleagues [*Cries of* "Oh!" *and cheers*]—three of the best of your Colleagues, who were not willing to accept the Bill which you now propose—am I to be told that legislation which affects two-thirds of the whole number of persons below £10 about whose enfranchisement there is a question, is to depend on the pure and simple discretion of the parish officer, and that he is to decide who are to be enfranchised and who are not? When Gentlemen perceive that such is the operation of the proposed system, they will, I think, readily follow me, at any rate, to this conclusion—that the question is one which it is totally impossible for us to leave to the discretion and command of the parochial authorities. Is the right hon. Gentleman going to take it out of their hands—eh? Does he mean that the names of these 5,000 persons shall be put upon the register in the one parish as in the other? If so, let him say so. But it is most important with regard to the view we take that we should know—and the right hon. Gentleman's speech throws no light on this subject whatever, because he has not told us whether these men—indeed, I think he has told us the contrary; I think he has told us that they are to go through some process which is, in fact, call it what you like, neither more nor less than a fine on the labouring classes. ["Oh!" "Hear hear!"] If we say, "You, who by arrangement with your landlords, have nothing to do at present with rates but to pay your rents, which include them, are now to go to one parish officer and claim to be rated, then to another parish officer and see whether any rate be due of which you have no knowledge, and if any be due to tender the amount, and then are liable to be told by the parish officer, as persons were told in a noted case in one of the metropolitan boroughs, 'Now you have made your claim, and as soon as the revising barrister comes in November you may appear and support it' "—if this be the mode which we are to adopt, I tell the right hon. Gentleman that, in my opinion, the mode which he has adopted of applying the principle of rating is a mode that really cannot stand. I do not agree with those who think that the principle of rating is the great bulwark of the Constitution; but I do agree with those who think that if you enfranchise all householders you get into very great difficulties—and I do not perceive that the right hon. Gentleman has made the smallest provision to meet these difficulties—at the lower end of the scale when you come to deal with that class of householder who is usually excused his rates. You then put it in the power of a parish officer, who is a political partizan, and who anticipates that 100 or 500 men are going to vote on the side opposed to his convictions, to allege their poverty and obtain the excuse of their rates, thereby disfranchising these men. There is a cure for that; and what is it? You let in the election agent, who, aware of the politics of the parish officer, and determined not to be behind him, comes with the rates of these 500 men, and in triumph re-instates these bribed and contaminated men. I did expect from the right hon. Gentleman some indications that he had made provision for dealing with this class of cases; but, instead, the right hon. Gentleman went on to make disrespectful remarks upon a plan that is not before the House, a plan for a £5 rating, which he called a Serbonian bog, and which yet, on the only occasion when it was proposed to the House of Commons, in the Bill of Lord Russell, the right hon. Gentleman, if my memory serves me rightly, spoke of not as a Serbonian bog, but in terms of general approbation. The right hon. Gentleman has indicated most guardedly that somebody has got a plan for depriving the persons below a £5 rating of this privilege of paying their rates and so reducing them to a condition of helotism which he thinks is quite intolerable. The right hon. Gentleman does not appear to me to be at all aware of the real history of the laws that have been passed in reference to the personal liability to rating. It is all very well to say that the old principle of the borough franchise was that a man should pay scot and lot. No doubt. But we have contrived to improve, at any rate, the detail of many of our social and economical arrangements; and I take it that in that state of society a very large number of those who paid scot and lot were proprietors of their own houses. But the great mass —almost the entirety of the smaller population of our towns are now tenants, and not proprietors; and for half a century Parliament has been under the conviction that it was much better in the case of those small holdings to deal as to rates with the landlord, and not with the tenant. I am addressing myself to that observation of the right hon. Gentleman, in which he clothed with a kind of mysterious horror the supposition that persons rated below £5 might be relieved from all liability in respect of their rates. But in what light has Parliament regarded this view of the British Constitution? What has it said in the Small Tenements Act?

> "Whereas the collection of Poor Rates and Highway Rates assessed upon the Occupiers of Tenements of small annual value is expensive, difficult, and frequently impracticable, it is expedient to make better provision for the rating of such tenements and for the Collection of such Rates, Be it therefore enacted"—

that the owner shall be rated instead. This, which is a social reform, the right hon. Gentleman seems to clothe with a kind of horror and dislike, and actually hails the principle as if its application to the small holders of this country were in the nature of a public wrong. I must own that I so far agree with Gentlemen who feel great anxiety on this subject of personal rating, that I should regard it as a fortunate circumstance if the limit of our franchise downwards were to cease at the same point with the personal liability to rates. I think there would be some very great advantages in that arrangement. But is the arrangement you are going to make anything at all like it? I do not mean to say that it is practicable to any very great extent, because I have not the means of obtaining the necessary information; but I believe it is owing entirely to a defect of detail—namely, in the amount of the allowance proposed—that the Small Tenements Act does not run much more generally through the boroughs. If we are sincere —and I believe we are—in desiring something like fixity, every man must contemplate something like this arrangement; but it is precisely this arrangement which the right hon. Gentleman has selected for his severest condemnation. There are two questions which I wish to submit to the House—the first, what the Bill is now; the second, what it would become if it were to pass into Committee. I will take the second question first—What would become of the Bill if it were passed into Committee. I find that there are three safeguards or securities contemplated by the Bill. The first relates to residence, the second to rating, and the third to dual voting—a phrase which the right hon. Gentleman appeared to me, with a very unerring instinct, to eschew as long as ever he could, and, at last, to pass over with a lightness and delicacy of touch for which I shall be forced to substitute very much coarser handling. Let me look at these securities. The right hon. Gentleman has not adopted the term of the municipal franchise, but an intermediate term of two years; that is to say, he substantially adds a twelvemonth to the term now required for the Parliamentary register. I cannot say, for myself, that I attach the smallest value to that provision. It will operate in reducing the franchise among the people of property and of the upper classes not quite so much as among the lower classes if you consider that an advantage. But I presume it is to apply to all equally, or is there to be one law for persons rated above £10 and another for those rated below £10.

The CHANCELLOR OF THE EXCHEQUER: The proposition is the same as in Lord John Russell's Bill. The rights under the existing law will not be interfered with.

MR. GLADSTONE: I presume so. I think that is quite the right way to do it, if it is to be done. I think it proper to preserve existing rights; but, prospectively, I am accurate in saying that the effect of the residence qualification will be to limit in some degree the number of voters. ["Oh!"] Does not the longer term of residence limit the number of electors? At present, however, I merely wish to enter a protest to the extent that it does so. I now come to a question of rating, and here it appears to me that the proposition of the right hon. Gentleman is fundamentally and essentially wrong. I can understand that you may remedy, in a certain sense, the evils of that proposition by adopting provisions which will completely nullify it. If you will take the names of the 486,000 compound-householders — I use the term as including those under the Small Tenements Act, although it is not perfectly correct in law to do so—and if you provide that all these names are to go direct upon the register, then you admit the whole question ; but it would be much better to get rid of the ratepaying distinction at once, and there is no advantage in adopting a circuitous process for its own sake. I wish to point out the fundamentally incurable part of the proposition of the right hon. Gentleman, supposing it is intended to be a reality ; if it is intended to be a vision and a dream, then the question must be considered from a different point of view. Supposing it to be a reality, there will be found existing in the country laws and practices of many different descriptions, which have the effect, in different modes, of limiting the principle of personal liability. The first of these modes is the adoption of the Small Tenements Act. The ratepayers of a parish, voting with a very high plurality of votes, can, if they think fit, bring it under the operation of the Act, and thereby disfranchise every man who would enjoy the franchise in a direct manner but for the operation of that Act. Assuming the distinction between rating and non-rating is a reality, the first effect of the introduction of the Act is to remove from the register every man who is within its scope—that is, up to £6 rating. Let us apply this to the borough of Leeds. I do not think it possible for a Reform Bill not to add a considerable number to the constituency in that borough ; and I congratulate my hon. Friend (Mr. Baines) near me upon the fact. In the borough there are 14,000 ratepayers at £6 and under. Can it be possible that it shall depend upon the will of a vestry—aye, and not of the vestry considered as a popular body, but upon the will, exclusively I may say, of the propertied classes in the parish —whether these 14,000 people are to be enfranchised, or they are not? Again, where the Small Tenements Act has been adopted, it is in the power of the vestry to disallow and expel it. Is that state of things to form a basis for our legislation? In fact, are we to pass a law with respect to the effect of which we are really in the dark ; and whether it will establish household suffrage, or not, whether it will double the constituencies or only add to them 100,000 or 120,000 people, depends upon the will of local councils and local officers? I protest against that method of proceeding. If household suffrage is to be established, let it be established honestly, and do not let us leave the wealthier persons in those constituencies to enfranchise or disfranchise at their pleasure, and with reference to circumstances any of them may think fit, this one class of persons, and the most important class of persons affected by the provisions of the Bill of the right hon. Gentleman. Again, I come back to my point—is that distinction between rated and non-rated persons to be a reality or not? If it is not to be a reality, say so, and do away with the distinction and let us get rid of these unnecessary eulogies on that portion of the Constitution. If it is to be a reality, then do not let us leave it dependent upon the simple will of the local authority what the limits of the constituency are to be. Then there are two other most important points—there are the cases of towns for which special local Acts have been obtained, in which the Small Tenements Act is unknown, and in which these local Acts establish the principle of compounding for rates upon a very large scale. I suppose the right hon. Gentleman is aware that these local Acts establish composition for rates upon the assessment of the landlord up to £10, £12, £15, £20, and, in certain cases in London, practically up to £30 value. I asked the right hon. Gentleman whether a compound-householder paying 20*s*. in direct taxes is to be permitted to enjoy the second vote—that is to say, the direct tax vote—and he said "Yes." Certainly, it would be most absurd that he should not, assuming that the direct tax vote is to become the law of the land ; but what can be more absurd than this? We recognise his fitness to be made one of the special class who are to be elected, as it were, keepers of the rest of the community by means of this double vote; but he is to be put in a situation of difficulty in respect to his household vote as compared with a man rated at £3 or £4 in towns where there does not happen to be a local Act. Can anything more ludicrous be conceived? In the borough of Thetford the Bill of the right hon. Gentleman will go to establish very close upon universal suffrage ; but it is no borough at all—it is like a great number of other boroughs which the right hon. Gentleman finds of use in drawing fancy comparisons between the county and the borough representations. It is a village, or, rather, an assembly of villages constituting a rural district. There is a population of 4,200, of whom 829, or one in five, are male occupiers. That proportion is very close upon universal suffrage, and the same proportion throughout England will give a constituency of nearly 4,000,000—which I imagine will entirely close the mouth of Mr. Beales. That is the way the right hon. Gentleman proposes to deal with the borough of Thetford. An immense proportion of the people there are the mere peasantry of the country—and by that I mean they are unskilled labourers. We have now, I am thankful to say, many highly skilled agricultural labourers; they are an increasing proportion, and, undoubtedly, with the augmented use of agricultural machinery, they must become an augmented proportion. The Bill proposes universal suffrage as far as the borough of Thetford is concerned. There are other examples of these village districts, these groups or clusters of villages—such as Wilton and Westbury—and if you enfranchise the peasantry of these groups and clusters of villages you will have—I will not say in Committee on the Bill, but very soon—to consider whether the peasantry in every village shall not be enfranchised, and whether the principle of population, applied as you apply it in certain cases, not to town populations, but to rural village populations is not to be applied universally to the country? I am not one of those who believe the Constitution of the country is dependent upon the suffrage as absolutely as the Earl of Derby, who spoke the other night of an extended suffrage involving the destruction of the British Constitution. I have a great deal more faith in the British Constitution than to believe that it depends upon rating or upon an exact estimate and the adding of more or less to the constituencies. I believe that we may make many mistakes, and yet the strong good sense and the whole traditions of this country will keep the Constitution on its legs—but that is no reason why we should make mistakes or alter the customary method of our legislation, or why we should establish the new principle of the Bill, as the right hon. Gentleman said the House of Commons did on the Motion of the noble Lord the Member for Galway. Before I accede to a franchise which is close upon universal suffrage—equal to it or to manhood residential suffrage—in those rural districts where there is no Small Tenements Act in operation, I should like to ask myself first of all whether I am prepared to endure the application of the principle to all the county constituencies of the country. Nothing can be more preposterous than that you should say to a peasant, or common hodman, or day labourer, earning 1*s.* 6*d.* or 2*s.* a day, in a town where there is no composition in force, "You shall have your franchise for nothing and be put on the register without knowing it;" while in great communities such as the vast parishes and boroughs of London, and many other towns of the country, you absolutely fine in time, or money, or both, the compound-householder who, at the same time, is a man whose perfect competence you propose to recompense by putting into his hand this dual vote which is given for the payment of direct taxes. The second of these safeguards, personal rating, as the right hon. Gentleman proposes it, I venture to predict is doomed. It may be possible to make personal rating a condition of the suffrage—the right hon. Gentleman has condemned the plan by which, perhaps, it might be done—but personal rating is a practical condition of the suffrage, while it is regulated partly by pure accident, partly by the will of the local or parochial authority, and partly by the activity of political agents, and through a liberal use of a candidate's purse cannot be embodied in an Act to amend the representation of the people. Then comes the duality of the right hon. Gentleman; and here alone he was moderate in the computation of his numbers. He did not venture upon a higher figure than 200,000, although he left, I admit, a broad margin beyond. The right hon. Gentleman knows very well—he must know—that there must be many more than 200,000 of these dual votes. And here I am bound to make a complaint against Her Majesty's Government. Last year, to the best our ability, we laboured and spent hours and days, with the best aid we could obtain, to throw into the best form we could devise the best information that our opportunities would allow us to obtain, in order to place full information before the House; and yet we were only proposing a homely measure of a character which might easily occur to any person, without digging beneath the surface, and elaborating refined and philosophical systems like that of the right hon. Gentleman. Now, the right hon. Gentleman comes forward with his proposition relating to dual voting—of all new-fangled schemes the most new-fangled—of all innovations the most innovating—and he does not condescend to lay upon the table any computation of the number of the dual votes so to be created—votes which are to be put, I must say, as arms into the hands of one part of the community against the other. The right hon. Gentleman does not condescend to supply, although he has been so long thinking about it—ever since Lord Derby wrote to him in the autumn to say that the question ought to be dealt with, and that with no niggard hand—he has not supplied us with a rag of information, except his statement that he supposes the number of voters must be much beyond 200,000? How much? Is it 300,000? Is it 400,000? Is it 500,000? No reply. I am bound to say that I do not suffer so much from the want of reply as might be supposed. To this dual vote, from this moment, be the numbers great or small, I, for one, record an implacable hostility. We have used the language of reserve long enough; we would gladly observe it still ["Oh, oh!" *and cheers*] if the proposition of the Government were such as to make it compatible with the fulfilment of public obligation. But I have enough faith in the British spirit and honour—even of those Gentlemen who gave me that sarcastic cheer—to believe that I should ill indeed study the mode of access to their good graces if, entertaining those opinions, I were to speak of the proposals of the Government in less unmeasured terms. Why, this dual vote is, in the first place, a gigantic engine of fraud. It is an engine of fraud that nothing could control. I do believe that the right hon. Gentleman might, if he had taken pains, have in some degree avoided the pitfall. He might, for instance, have confined the dual vote to payment of the house tax. If he had done so, he would still have been liable to this difficulty—that many persons, to serve the purpose of political parties, might come forward and get themselves assessed to the house tax in respect of houses of less than £20 value. He might have proposed that every man should not only pay house tax, but every other payment for poor rates, highway rates, &c., on the same scale, and that would have been a considerable check on this kind of corruption. But when the right hon. Gentleman proposes a franchise not only for income tax, but for assessed taxes, I declare, and I will show—and not I alone, but all who take the pains to consider the subject—that the proposal of the right hon. Gentleman is simply equivalent to a proclamation to every man with a purse in his pocket that he may make votes on any scale he pleases for 20*s.* a year. A man who chooses to dab a little hair powder on his head is liable to pay 23*s.* a year. A man who chooses to pay the servants' tax may have the vote. A man who chooses to hand about, not the body, but the property of a miserable three-legged jade may qualify 365 persons with a single horse that may not perhaps have cost him £3. Then, take the income tax. Well, in a certain borough where 100 votes are important to be had, that number of persons may sign a requisition to the surveyor of taxes, saying, "You have not assessed us to the income tax?" The surveyor of taxes has no option in the matter—at least, I presume you are not about to put before him the duty of ascertaining whether these persons are liable to be assessed, although it would be quite as rational as some of the propositions of the right hon. Gentleman. Still, it is not included in the present scheme. Well, 100 schedules go to the man who brings the complaint, and who is, of course, the agent of one of the political parties. He fills up the 100 schedules of Schedule D. He writes the words, "Turkish Guaranteed Stock," or something of that kind. He has them signed by the parties, the operation is complete, and a vote is made in respect of every one of these schedules. I believe it would be absolutely impossible to prevent wholesale fraud in the manufacture of these votes. But, then, the right hon. Gentleman may say—he is merciless in making the past errors of men suit his present purpose—that we proposed it in 1854. That is quite true; but with what exact provision we coupled the proposition I do not now recollect. It wore in our eyes an appearance then which it still wears in the eyes of the right hon. Gentleman—for he will not suppose I impute to him—as I do not—that he deliberately wishes to bring about this great system of fraud. After we had contemplated it we saw what it would come to, and we did not propose it either in 1860 or 1866. We rejected it then, and it is therefore no wonder that we are ready to criticize it now. But, besides being a gigantic engine of fraud, this dual vote is a good deal more. It is a proclamation of a war of classes. It is the first measure in the war of classes. Talk of the British Constitution! The author of this dual vote is the man who strikes at the British Constitution. That British Constitution rests, and has rested from time immemorial, upon the mutual good-will, respect, and good feeling of the people—upon the equality which they enjoy before the eye of the law—upon the manner in which they meet in their public assemblies as men and citizens, and enjoying equal privileges in that capacity. But the day you place in the hands of the rich man, under the notion of fortifying his position, this weapon to use against his poorer fellow-countrymen—that day you seal the doom of the old British Constitution—that day you sow dissensions that never can abate—that day you destroy the confidence that unites all classes of the community—that day, if you could pass this law, if you could promulgate it tomorrow as an Act of Parliament in the terms in which the right hon. Gentleman has proposed it, you would light up a flame the most dangerous and formidable that ever menaced the safety of a State. Entertaining these opinions, there are certain questions still in reserve. I still wait to see the proposals by which this sacred principle of rating is to be applied, and whether it is to be applied in a limited manner, or whether the whole of the 700,000 are to be enfranchised. But I must observe that there is one extraordinary omission in the Bill of the right hon. Gentleman. The right hon. Gentleman, in an admirable passage, which I promise to look out and quote in some future debate, laid down the principle of the lodger franchise. I am ashamed to tread the ground which has been trodden by the right hon. Gentleman, and I should be sorry to spoil the effect by an imperfect description. But the substance of what he says is that the existence of a class of lodgers is a necessity of our modern civilization, and that you have in your great towns, and especially in London, owing to the extremely high cost of space, and consequently the high rate of rent, a vast multitude of men living as lodgers, who in other towns of the country, in the very same condition, with the same character, capacity, and willingness to pay rates—that being the fourth of the cardinal virtues—are householders; you have those men in London in tens, twenties, and fifties of thousands. And yet those men the right hon. Gentleman passes by, and no provision is made for them, except the provision with regard to the savings banks. I never heard myself that lodgers were a class particularly given to putting their money into the savings bank. If they are, it shows they are very fit for the franchise, and I should like to enfranchise them on that account. But the savings bank franchise will do no more for lodgers than for other men, and, unfortunately, a very amall proportion of those who are skilled artizans in London are to be found among the savings banks depositors. What I find, then, is this. I find that the safeguard of long residence —I use the word conventionally—is practically of small account. I find that the safeguard of the liability to pay rates cannot possibly be accepted by this House after it has become aware of the nature and operation of the laws with respect to rating in this country. And I say this, expressly guarding myself against being supposed to undervalue the advantage that may belong to a franchise which terminates at the point where the payment of rates terminates. Well, I presume that these limitations must go; that the dual vote must go; the right hon. Gentleman knows as well as I do that the dual vote is dead already. The right hon. Gentleman required to muster and pluck up his courage well in order to speak to the House of that; for it certainly was a great effort for a man to propose to the House of Commons that which he must know in his own mind is as completely gone as if it had been a proposal of the times of Lord Strafford and Charles I. Well, then, with the dual franchise gone, there is the lodger franchise coming; and behind the lodger franchise is the broad consequence that must follow, as affecting the county constituencies, of the enfranchisement of the peasantry. That is the form which, in the natural course of things after a long time, perhaps, and not during the present Session, the Bill would assume if it got into Committee. That is a very extensive change; it may be that this measure does not contain provision for it; but, as far as one can at present construe it; it looks as if it would assume that shape. I am convinced that these safeguards must go, and I am confident that a lodger franchise must come in. I do not hesitate to say I think it is generous on the part of the right hon. Gentleman to offer such a measure as I suppose to Gentlemen on this side of the House. Its operation on that scale would, no doubt, be highly favourable to them; and if the object of the right hon. Gentleman be to confer on them increased power, and increased numbers in the boroughs of the country, I do not say it is for them to quarrel with it. But, Sir, there are other interests than the interests of party involved. I have not said a word since we quitted office in defence of the principle on which we proceeded last year; but the right hon. Gentlemen stated that last year we proceeded, not on a principle, but "avowedly on an expedient." He may, indeed, have thought it, and may call it an expedient, but assuredly it was not "avowedly" an expedient. We called it, because we believed it to be, a principle; and our principle was this—the enfranchisement of the skilled labour of the country. We have heard much from the other side and elsewhere about the value of the principle of selection, and the last testimony to the value of that principle which I saw was a remarkable letter from the noble Lord the Secretary of State for Foreign Affairs to the Conservative working men of Huddersfield, in which he said that the best portion of the working classes ought to be admitted to the franchise. Sir, I certainly shall be not a little curious to hear from the noble Lord the reasons which have induced him to come down to this House and offer us a Bill drawn in contempt of the principle he thus recommended—a Bill which utterly excludes all principle of selection, which excludes a vast number of the most skilled and most instructed of our working men, and which, where it admits any of them, admits along with them the poorest, the least instructed, and the most dependent members of the community. Having regard to the extreme gravity of the case, it would be too much for me to presume now to decide what would be the practical effect of so large a measure as this Bill if these pretended safeguards—I do not mean to say that the Government do not believe in their sufficiency—but if these fall away, the proposition certainly requires some consideration before I, for one, could make up my mind upon it. With regard to the proposition in its limited form, with this distinction between rating and rental, and the shutting out of men because their houses are compounded for, owing to their residence in particular parishes and towns which have availed themselves of a great social improvement adopted by Parliament with all its might some fifty years ago—to that I am utterly and resolutely opposed. With respect, then, to the plan and proposals of the right hon. Gentleman, I think a more particular knowledge is requisite to enable us to judge in what manner they ought to be dealt with as a whole. To many of them, and especially to that most important one relating to dual voting, I am inflexibly opposed; and I confess I think it quite impossible, under any circumstances, that any proposal like that, or one conceived in such a spirit, can obtain the sanction of this House.

SIR WILLIAM HEATHCOTE: Sir, on the occasion of the introduction of so important a Bill by the Government it is far from my intention to go into any lengthened discussion of the subject, or to presume to give an opinion on many of the questions which it raises. But I feel it quite necessary to say a few words, especially on account of some remarks which have fallen from the Chancellor of the Exchequer. The right hon. Gentleman, at the close of his speech, mentioned the difficulties with which he had been surrounded in preparing and bringing forward the measure, and he said at last that he had to bring it before the party with whom he acted, and that, although with great difficulty on the part of many of them on the grounds he had stated, it had been on the whole accepted. I feel it necessary on my own behalf to guard myself against being supposed to be one of those who have already given any assent to the measure. I must reserve to myself the right when the next stages of the Bill shall have come to take such course as I may think proper, without reference to any political connections. And I am bound to say that my present impression of the Bill is not favourable. I have endeavoured to look at it from both points of view—from the point of view which I myself, as a Conservative, naturally desire to regard such questions—namely, with a desire to uphold the balance of our Constitution in order and stability. I have endeavoured also to look upon it from the point of view from which hon. Gentlemen opposite may be expected to look at it, and I must confess that it seems to me with a remarkable infelicity to combine objections which have weighed with both sides of the House. Having guarded myself so far, and having claimed for myself the right, on the second reading of the Bill, or whenever any question may arise, to take my own course in the matter, I will not intrude longer on the attention of the House. I will only venture to say that I am not so singular in my opinion as the right hon. Gentleman seems to imagine.

Sir GEORGE BOWYER: Sir, I do not intend to lengthen the discussion by following the example set by the right hon. Gentleman the Member for South Lancashire. The right hon. Gentleman stated at the commencement of his speech, as I thought very justly, that the time to discuss the details of the Bill will be when it is in the hands of Members, and when they can clearly see what its provisions are. I think that a very judicious course, because it is utterly impossible, even with the ability of the Chancellor of the Exchequer, to give a perfectly clear view of so difficult and so complex a matter in the course of his speech, to which we have listened with so much attention. But what did the right hon. Member for South Lancashire do after making that declaration? He made a speech than which, in the whole course of my experience, I never heard anything more ingenious or more telling as a party speech, more captious, more bitter, or more sarcastic. That was the character of his speech. I do not want to go into any details; but I must mention one or two points in his speech in which he illustrated the character of the Bill. He expended all his art of irony on the rating franchise. He denied what the Chancellor of the Exchequer had said with great justice that this House did last Session affirm the principle of rating. [Mr. Gladstone: Only in boroughs.] I mean in boroughs. The vote that caused the fall of the late Government involved the rating franchise. And what did the Chancellor of the Exchequer say? He said that the principle was affirmed; but that when they came to the application of that principle, the Government found they could not conjoin it with—and accordingly they carried it out without adding it to a value franchise. That might be a fair question for consideration in Committee. The right hon. Member for South Lancashire spoke rather rashly when he condemned the principle that the men to be intrusted with the franchise are those who bear the public burdens. That is not a new principle. It is a very old principle. If the right hon. Gentleman looked to the proceedings of a Committee—well known to all constitutional writers—presided over by Serjeant Glanville 200 years ago, he would find the different franchises and different rights of voting were fully discussed; and that if any one thing came out more clearly than another before that Committee it was that, according to the ancient common law of England, the men who sustained local burdens and paid local taxes were the men who were entitled to the franchise. That is the class of men who serve on juries, filled parish offices of all kinds, and voted for municipal purposes. The right hon. Member for South Lancashire again ridiculed the principle laid down by the Chancellor of the Exchequer, that the compound-householders are to have means given them of placing their names on the rate book, and of acquiring the franchise which is attached to rating. The right hon. Gentleman says it would depend to a great extent on the parochial officers whether a man should be on the rate book at all, and that the election agent might pay the rate and so bribe the voter who would thus have a vote. But that applied in some degree to the existing law; because a man at present cannot vote unless his rate is paid. We all know what the ratepaying clause is. A man must pay the rate to have a vote; and if the rate is paid by the landlord the tenant does not have a vote. The right hon. Gentleman assumes that the compound-householder would not have the power to be put on the rate book as proposed by the Chancellor of the Exchequer; but that is not a fair argument, for the right hon. Gentleman has not yet seen the Bill, and we do not know what provisions it contains for the purpose of enabling the compound-householder to put his name upon the rate book; and yet, without knowing what the fact is, the right hon. Gentleman assumes that this is to be a source of fraud. I ask him to wait until he sees the Bill and finds out what are its provisions. ["Question!"] But I will not go into further details, for I see that hon. Gentlemen behind me do not like them. However, I will promise to go into them at another time, whether hon. Gentlemen like it or not. One strong conviction has forced itself upon my mind during the speech of the right hon. Member for South Lancashire, and that is, that all Reform is impossible. ["No, no!"] I will tell you why. The moment a Reform Bill is brought in by one set of Ministers it is sure to be carped at by the set they have supplanted. They say either that it goes too far, or else that it does not go far enough. It has been thought by most people of late that the Government were going too far in the direction of the hon. Member for Birmingham (Mr. Bright), and it has been a common thing to hear it said at the clubs and elsewhere, "Why, the Government are going to take the wind out of the sails of Mr. Gladstone." But we now find that the right hon. Member for South Lancashire, instead of approving of the course taken by the Government as promising a great advance in Reform, turns round calmly and tells the Government that they have done nothing. I am not going to enter now into the question of the duality of votes beyond stating my own conviction that dual voting will not do. When I heard such an ingenious and bitter speech made against Reform, or against a very extensive measure of Reform—a measure so extensive that it alarmed a great number of the Conservative party themselves—and when I saw the great advocate of Reform making such a speech, I must say I came to the conclusion that Reform is impossible. But notwithstanding my objection to the proposal of dual voting, I must admit I think the Chancellor of the Exchequer has acquitted himself with ability of a very difficult task—a task so difficult that I believe it will be impossible to accomplish. The Chancellor of the Exchequer has undertaken to bring in a Bill which will satisfy all parties, and unless it does satisfy all parties, or, at all events, a very large proportion of them, it cannot pass this House of Commons. It has struck me that the Chancellor of the Exchequer, in undertaking this, stands very much in the position of a person who, some years ago, advertised all over London that at a particular theatre on a particular night he would get into a quart bottle. Of course, crowds of people went to see so strange a sight; and there they found the man upon the stage, and there they found the quart bottle; but when they called upon him to get into it he said, "Gentlemen, were you such fools as to come here with the expectation that I should perform a sheer impossibility?" Now, it strikes me that we have come here to see the Chancellor of the Exchequer get into a quart bottle, and I must say I am not disappointed to find he cannot do it. I never believed he could. The right hon. Member for South Lancashire, in the course of his speech, said, "We are all of us sincere." Well, I do not know—some of us may be sincere, but I should like to see the sincere man. I should like the man who is sincere to step out before the Mace, for I am sure we should all like to have a good look at him. The fact is, there is but very little sincerity in the whole matter. What have we seen all along? Meetings have been held in different parts of the country, represented in the papers on one side as great successes, and in the papers on the other as failures. I was passing on Saturday through Trafalgar Square when I saw one of these great Reform demonstrations represented in some of the papers of that morning as a great political event. But what was the real fact? I saw 150 people assembled together in the middle of the Square, and Mr. Potter, mounted between two of the British lions, was making a speech to them. The greater part of the people were laughing at him, and I heard a good many people saying, as they looked up at him, "What a damned fool!" Some time previous to that I went to the windows of a club house to see what was called "a great Reform demonstration," and I saw a great number of zealous democrats, some of them on horseback, profusely decorated with stars and ribbons, evidently in imitation of the aristocracy. Some were Knights of the Garter; some Knights of the Bath; and of course they presented a magnificent array. One man held a telescope, with which he appeared to be looking at a representation of the moon; but whether or not that was intended to symbolize the presence of a considerable number of lunatics in the procession I cannot say. There was no sincerity there, however. They were all people going out for a day's holiday. And yet it is upon these demonstrations—than which nothing more hollow and absurb can be imagined—that the violent cry for Reform is demanded. I do not myself deny that there are many unenfranchised persons in this country who might be advantageously intrusted with the franchise; but that is quite another question, which I am ready to consider calmly and dispassionately. But when I find Reform made, as it is, the stalking-horse of party; when I find a determined effort made to get one party out of office and another party in; when I find that the party out of office are zealous for Reform, but not so zealous for Reform as they are zealous to turn out the other party, then I say that Reform wears very much the appearance of a delusion and a sham; and that until people come to look upon it practically, and as men of business, it is impossible to settle it. But people have gone on saying that "the question must he settled," until a great many, though not all, have come to believe it. The real truth is, it is a question which might as well be settled two years hence as now; but when it is settled it must not be approached with any party feeling, but sensibly, as a matter of business, having regard to the interests of the people, and to the admission within the constitution of those persons who ought to be, and who may be, admitted with advantage. There is only one further question upon which I wish to touch, and that is with regard to the redistribution of seats. It seems to have been assumed all along that it is impossible to give representation to all those places which are entitled to it without taking it from those who now have it; but I do not see that myself. I object to the policy which has been adopted on this part of the question of robbing Peter to pay Paul. Because twenty or thirty places require representation, I do not see that you should, therefore, take twenty or thirty Members away from other places. I say nothing of the places disfranchised for bribery—from those places it is quite right to take away their representation in order to give it to others. There is no principle of the Constitution, or of common sense, which restricts the number of the Members of this House. If you want more representation, have additional Members; but do not take away the representation from those places which have it. I am told that there would not be room for any additional Members in this House; but as to that surely we are as bad off now as we possibly can be. I believe that an addition of twenty or thirty Members would produce no perceptible increase of inconvenience in the House; and I hope, therefore, that Her Majesty's Government, if they should think it right—as I believe it is—to give representation to several places which are now unrepresented, will consider the expediency of adding to the number of Members returned to this House.

Mr. THOMAS BARING: I believe it would be presumptuous upon my part to prolong this discussion; and I shall not attempt to imitate the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), who began by stating that he should reserve himself for the second reading of the Bill, and yet, with an imperfect knowledge of what the measure may contain, pronounced an opinion upon it, and pledged himself to oppose it.

Sir George Bowyer

Mr. GLADSTONE: The hon. Gentleman has misunderstood me. I said I required time to consider what course should be taken with respect to the Bill. I only pledged myself against dual voting.

Mr. THOMAS BARING: I think this is a very important measure, and one that ought not to be adopted without the most deliberate consideration. I confess that the Chancellor of the Exchequer, while he was anxious to bring that question to a satisfactory settlement, has not left my mind free from doubt—first, whether this would be a settlement at all; and secondly, whether it would be satisfactory. The Government in one of their Resolutions lay down the doctrine that no measure would be satisfactory which would give to any one class or interest a preponderating power over the rest of the community, and that such a preponderance would be opposed to the Constitution. But the figures and statements upon this subject seem to me so doubtful that every one of us would have to grope a little in the dark between this time and the next occasion when the measure comes before the House in determining what course ought to be pursued. But there is one question, I think, which the Government are bound to answer before any further step shall be taken, and that is—to what extent will they adhere to those franchises which are offered as safeguards of the extended suffrage? As I listened to the right hon. Member for South Lancashire, I gathered that there was no chance of those safeguards being adopted. If I understood the right hon. Gentleman aright, he considered that any franchise which would depend upon property would only breed discontent throughout the country; and therefore I may fairly ask the Government, before any further step is taken, expressly to state what portions of those proposals they regard as integral parts of their measure, what portions they will stand by, and what portions they will be prepared to give up. I wish to see the question settled; but I am sure it can only be settled with great difficulty, as every successive measure brought forward only appears to embitter feeling, to produce disturbance in the country, and to leave the common sense of the people at a loss to decide what any one in this House means, because no two of us seem to agree as to what ought to be done.

Mr. LOWE: There are a great many Gentlemen in this House who have contemplated this household suffrage with very considerable apprehension, and yet find themselves almost irresistibly attracted towards it, because they believe they find in it a new principle, going lower, perhaps, than they would themselves like to go, but still giving them something that will afford rest and tranquillity after the storms of the last fifteen years—something where they may touch ground—something so low that they cannot fall lower. Now, I wish to submit to these Gentlemen one or two considerations which occur to me for the purpose of showing them that although this is, I admit, a very natural, it is not an accurate view of that which is commonly known under the name of household suffrage, or which, as now before us, may perhaps be more properly called rating suffrage. In the first place, there is no new principle in this household suffrage. Hon. Gentlemen may consider that this sounds like a paradox; but it is an undoubted fact that we have got household suffrage already — that the present borough franchise is household suffrage, limited to houses of the yearly value of £10; and when you have got household suffrage in a wider sense you have only got the same genus, although perhaps a different species of it. The foundation of the borough franchise is now household suffrage, and it will remain so if this Bill of the Chancellor of the Exchequer should be carried into law. The difference is not in the nature of the thing, but in the kind of safeguard applied to it. The present safeguard is the £10 rental, and the safeguard of the right hon. Gentleman the Chancellor of the Exchequer is a certain amount of residence, whatever that may be, and personal rating to the relief of the poor and personal liability for the payment of the rate. The question we have now to consider is whether the new safeguards supplied by the Chancellor of the Exchequer are superior to the old safeguards. For the moment I waive the question of the actual effect of the measure—I deem it prudent to delay pronouncing any opinion on it until we have had the opportunity of seeing the clauses of the Bill; but what I want hon. Gentlemen to consider, and to consider most carefully, is whether the safeguards that would be afforded by this Bill, or by any Bill of the kind, exceed in validity and trustworthiness the safeguards which we already possess; whether we have really found in this rating suffrage that safe holding—that sure anchoring ground—on which we might rely to hold us fast against the storms of democracy. That is a question which, I think, it is not inopportune to consider at the present moment; and upon that subject I wish to point out to the House as well as to the country the number of things they must assume before they can satisfy themselves that they have got any additional security, or even a security as good as that under the proposed measure. At present the security is a feeble and a frail one; it is merely a figure which may be altered; it is easy to substitute one figure for another. It is said that there is no principle in a figure, but that when we get a rating suffrage we then substitute a principle in place of a figure in respect to the suffrage. Is that so? Look at the first safeguard—personal rating. If that goes, everything is gone. You descend at once simply to household suffrage, or nearly so. Now, what security have you for the continuance of personal rating. With respect to a franchise of a £10 rental or a £6 rental, the people within the franchise are general content, and the people discontented are those who are excluded. But when you establish personal rating as the foundation of the franchise it is those within the suffrage who will feel vexation and annoyance, and be hostile to it; and this will be found to be the case the more especially the lower you go, because the burden of these rates and taxes increases enormously in proportion as you descend to the poorer strata of the population. It is sometimes very difficult for them to find the money at the proper time; their habits are not so regular or business-like as those of the upper classes, and they are liable to make mistakes:—and even when they have the money they are apt not to pay it. Thus a considerable number of persons would be disfranchised by the ratepaying clauses, though in substance they might actually satisfy the demands of the franchise. I am not speaking against the rating franchise; I am only putting before you the reasons which will make the lower strata of society hostile to this particular restriction, and which will lead them to make it their business when a Member comes to his constituency for re-election to pledge him to get these clauses repealed. We have seen a good deal of the £10 voter, but he may be said to be an opulent man compared to a person living in a hovel of the annual value of £4 or £5; and when the pressure is put by voters of this class the candidates will yield to it. It will be like the pledges given by Members for Reforms, which they hoped they might never be called upon to redeem. That is one very strong reason why this should be considered a less stable provision than the present security, which depends upon a particular amount of rental. Look at the case practically. See how these provisions are got rid of. The 7th clause of the Small Tenements Act dispenses with the payment of rates altogether, and gives the franchise for municipal purposes to every compound householder. By the Reform Act of 1832 a voter is allowed to come forward and pay his rates; but those ratepaying clauses have been attacked almost from the passing of the Act. And, again, look at the state of opinion upon the subject. The Government brought in a Bill last year lowering the franchise to £7; but in that Bill the ratepaying provisions were abolished, and the then Chancellor of the Exchequer argued most emphatically against the rating principle, and he based his argument not merely on grounds having reference to a £7 franchise, but on the propriety of the proceeding altogether, as any one will see who turns to pages 36-38 of the right hon. Gentleman's speeches. Well, Sir, this is the main security—a security which has been condemned by a great party, by a Government of great ability, and by a Gentleman who has been, and probably will again be, the Leader of a Government in this House. This is the sort of security on which hon. Gentlemen rely, thinking they have touched ground which is perfectly safe, and than which they can go no lower. But let us go a little further. The Government believe—and this is only a specimen of what must be the case with all measures framed on such a reliance—that they will give the opportunity of obtaining the franchise to a vast number of people who will not avail themselves of it, and their measure is conceived in that faith and belief:—I think, indeed—though, of course, I do not expect them to admit it—that nobody would be more disappointed than themselves if their measure should actually have anything like the enfranchising efficacy of which it is apparently capable. The question really turns—and we must look it in the face—on the compound-householders. If the compound-householders are to have votes you might as well, as it appears to me, give up your machinery of rating altogether and take the simple occupation of a house, or of anything that can be called a house, as your foundation. If they are not to have votes, why, then, I apprehend, you make a change which, though in some respects different, does not differ very widely from a £6 rating franchise. It is a comparatively small change. It is all-important, therefore, to know which of the two it is to be, and whether under the existing state of the law, or by what is proposed by the right hon. Gentleman, the compound-householder will be kept out or not. Now, how does the law stand on that subject? It stands in this way—that every vestry is permitted to adopt, and is permitted again to repudiate the Small Tenements Act; and under that Act it is compulsory on those who frame the rates to rate the landlord on behalf of the tenant's occupation when that occupation is £6 or under £6. As long, therefore, as that law is enforced the compound-householder is virtually disfranchised—he is practically struck out. That is the way in which the law stands at present; and the Act has been enforced in some boroughs wholly or partially, and in others it is not enforced at all. Well, I want to know what security you have that these classes will remain compound-householders and will remain disfranchised. I am not speaking of what is right or wrong about the matter, for some will think they should be enfranchised, and others will think they should not; but I ask those who rely on this as a safeguard—as something they cannot go below—what security that state of the law gives that compound-householders may not have votes? Why, it is simply as the right hon. Gentleman (Mr. Gladstone) pointed out, a security which depends upon the will of the parish vestry. A parish vestry may, by adopting this Act, disfranchise an enormous number of voters. They may, by repudiating the Act, a majority of two-thirds being required, enfranchise them again, and, without the occupiers having any choice whether they will be enfranchised or not, it will be the duty of the parish officers to place their names on the rate-book. They will become voters without any act whatever of their own, and that having been done the vestry may again change their minds and re-disfranchise them. Of course I am speaking, subject to correction, from what the Bill may show us to-morrow—but that, as far as I could gather from the speech of the right hon. Gentleman the Chancellor of the Exchequer, is the state in which the law will be left by the Bill; that is to say, the House of Commons, setting itself to work to make a vast change in the constitution of this country, delegates the *quantum* of that change to the varying decisions of parish vestries. Is that, let me ask, a proper state of matters? And here I must use the same argument as I used with regard to the other point—namely, that my right hon. Friend the Member for South Lancashire, in the same speech, and in the same pages as those to which I referred just now, has emphatically denounced the notion of disfranchising the compound-householder. He says, and says with truth, that the compound-householder pays the rate indirectly, because he pays it to his landlord, and the landlord, receiving an abatement of one-fourth, pays it over to the collector. It is a mere matter of convenience in the collection, the landlord being made a sort of sub-collector; and my right hon. Friend emphatically condemned the present state of the law, and as far as his Bill touched the question he proposed to abolish it. Again, therefore, I ask, where is your security? Here you have a rule which upon the argument of the Chancellor of the Exchequer is utterly indefensible, on the ground of payment of rates, because it is a mere subterfuge to say that compound-householders do not pay rates; they do pay rates, but in a different way from the ordinary way, and this is done merely for the convenience of those who have to collect them. Nobody will suspect me of wishing to enfranchise them — I think there are other and excellent reasons why they should not have votes; but the reason given by the Chancellor of the Exchequer, that they do not pay rates, is utterly indefensible. Well, these are your foundations; it is this quicksand—this quagmire—on which hon. Gentlemen have been led to believe, by a little confusion of language and ideas, that they can find rest for the sole of their feet, and that having sunk so far they can sink no further. This, Sir, is what I wished to put before the House. But let me add one word more. References have been made to the municipal franchise. The franchise which the right hon. Gentleman is going to create is not the same as the municipal franchise. It differs in this respect — the municipal franchise is for other things besides houses in which people reside, for it includes warehouses, shops, and so forth; and it also differs from it in this, that the compound-householder possesses as a matter of right a vote in municipal elections. Now, does it not strike hon. Gentlemen—those to whom I am addressing my argument—only a limited section of the House I am aware—does it not strike them very forcibly that people will be apt to think it very invidious, having gone so far, to have in the same borough two different franchises both professing to be based on household suffrage, one for the municipal and the other for the Parliamentary qualification? Do you think that this is the solid granite which you have reached; that this descent to the proposal of the right hon. Gentleman will support you, and that it will not slide off into the lower depth of the municipal franchise—if it even rests there? I think, by the way, it would be more satisfactory—at all events to me, in attempting to grope my way by such light as experience can afford—to have a little information about the working of the municipal franchise. That, however, is beside my argument. The argument I address to hon. Gentlemen is this—that I believe there never was a greater mistake than to suppose that such a proposal as that made to-night, or anything similar to it, really comprises in it any elements of stability or permanence whatever. It is not a point to which you can honestly go by surrendering your individual opinions in the belief that it gives you any security against going lower still. On the contrary, I believe it is more slippery ground than we stand on already, and that whatever may be the demerits of the present system, you are safer to rest on it than on the personal payment of rates and the power which is given to compound-householders. A suggestion was thrown out by the right hon. Gentleman the Member for South Lancashire, which appears to me well worthy of the consideration of the House. I cannot say, indeed, that I received it with pleasure; but, circumstanced as we are, it may be well worthy of the consideration of the House whether, instead of going into these clap-trap schemes, by which you give a good deal with one hand and take it away with the other—assuming to give rights in the hope and belief that they will never be exercised — we should not honestly adopt the right hon. Gentleman's suggestion, and see if we cannot frame a measure on the principle which he shadowed forth—that is, of making the franchise reach that point where it is found convenient to collect the rates from the landlord rather than from the tenant. That seemed to me a little ray of light in the midst of all this darkness. Sir, I have one word more to say on a subject which I cannot pass by in silence, and I should like to reiterate the question asked by the hon. Member for Huntingdon (Mr. Thomas Baring.) The right hon. Gentleman on the 25th of February proposed to us a Reform Bill, and the Secretary of State for the Home Department was asked whether the Government would resign if they were beaten on any part of it. In reply, the right hon. Gentleman said that they would certainly not submit to a defeat on any vital point, and that what was a vital point they reserved to themselves. Well, Sir, they were not long in putting their resolution to the test, because the next day they withdrew the scheme altogether; and, therefore, I suppose there was no vital point in it at all. But I think that, on the present occasion, it is only fair—fair to their own party especially, to Gentlemen of their own party who really have convictions, and who do not change them from year to year—I think it is only fair to them that some Member of the Government—my right hon. Friend the Home Secretary, for instance, who is a connoisseur in vital points—should tell us what are the vital points of this Bill. I should excessively like to know whether duality is a vital point. I think we ought to be informed on that matter; because, though I cannot imagine why it should be so, there may be Gentlemen who might be reconciled to the rating by the notion of duality, and they have a right to know whether it is really a vital point, or whether it is only a tub to the whale, which, having served its purpose, may be dismissed like the scheme of the 25th of February. Whatever comes of the principle of duality, I must assure the House—because, after the line I have taken, and am prepared to take whenever I have an opportunity on this matter, it might be supposed that I was as likely as anybody to be caught with that bait—that I cannot express the repugnance with which I view it. I shall take the liberty—because I do not think we are likely to hear much of this point on the second reading—to make a few observations on it now. It seems to me that anything more invidious could not be devised. I will not, however, dwell on that point, because it has been already noticed by the right hon. Gentleman the Member for South Lancashire. It seems, too, to me that the principle of it is eminently unsound. You may quote precedents for it; for instance, the principle of joint-stock companies and other voluntary societies, whose object is to obtain capital. Of course, if you want to get capital into a voluntary concern, you must offer capitalists privileges and advantages to attract them, and no doubt it is a great inducement to capitalists to put money into a company if they are allowed votes in proportion to the amount of their capital; and the object being to realize profits, that is all very reasonable and fair. So in boards whose business is almost entirely confined to the subject of taxation, I think you need not wonder that such a principle should be introduced; and if you were dealing with nothing but taxation, there might be a certain fairness in saying that a man should have a voice in the electoral body according to the *quantum* of property that he was liable to be taxed for. But it is a most narrow view of this House to consider it only as a taxing body. No doubt that has been the foundation of its power; but this House, in fact, comprehends within itself the Executive Government in all its branches, and the Legislature in all its branches; and, therefore, it is very important that we should clearly distinguish in our minds whether we are such abject worshippers of wealth, and are so inclined to bow down to it, that persons whom we admit to have a right to come into the Constitution, and to exercise the full privileges of citizenship, are to be swamped and overborne by others because they happen to be in more affluent circumstances. I recoil instinctively from such a proposition. I hold that, as a matter of policy, nothing can be worse. I have been, as the House knows well, most unwilling to extend the franchise. I have thought it most unadvisable lightly to yield to the demand for what is called access to all the rights of full citizenship in this country. But when I find that you seek by this Bill to create a sort of bastard plebeian oligarchy, to set up where there is no substantial difference a difference of power, I say you will only irritate people by giving them the franchise with one hand while with the other you set up people to swamp it with double votes. For see the admission you make. Why is this innovation on the Constitution proposed? Why is it that we require "to arm" certain classes, as the right hon. Gentleman said, with greater power than the others? I will tell you. It is because those who do it cannot conceal from themselves that they are doing what they know to be wrong; they are giving franchises in which they have no confidence; they are seeking to take into a share of the government of this country classes whom they do not think fit to partake of it, and therefore they wish to compensate that imprudence—and worse than imprudence—by raising up a sort of sham oligarchy to control and counterbalance it. Now, whatever we do let us do fairly and frankly. I, for one, will be no party to giving power to classes in whom I have no confidence; nor will I associate the giving of power with any shabby expedient to counteract it. Then there is another ground upon which I am opposed to this proposal. I do not know whether it would please those who may have these extra votes. For myself, I should feel it a degradation. It may be that others would not think it so, for people differ in feeling very much; but whatever pleasure it might create in some, it would be more than counterbalanced by the rage it would create in others. It would be more than dishonest—it would be dangerous, from the amount of discontent it would create. Those who have not these double votes will feel themselves treated as inferiors, and will be more discontented than if they were excluded from the franchise altogether. Even those who are most opposed to the present state of things must admit that the franchise was always open to a man. He can raise himself and attain it; within it all were equal; but now you can take advantage of some fortuitous circumstance—such as a man's having been educated at an University, or something of that kind—in order to give him the permanent stamp of superiority, although he may be no better than his neighbour. The consequence will be that you will make the discontent in the lower order of citizens still greater; they will combine with the non-electors to take away the invidious distinction, and when they succeed they will give these votes which they will wrest from the newly privileged class to the non-electors as a reward for having aided them. Instead, therefore, of settling, you would unsettle everything again. You would provide a machinery for getting up a further agitation for a further lowering of the franchise, and a further breaking in upon the institutions of the country. We are going now, as I think, to break up a machine which, though not perfect, has on the whole worked exceedingly well. We are going to try a new, dangerous, and, as I would say, desperate experiment. We are going to make an attempt which many persons, whose opinions are not to be despised, think highly dangerous, in pursuit of "that firstborn of things," divine equality. And, having made all those sacrifices to obtain equality, are we at the very moment that it is obtained to destroy and annihilate it by creating a gross inequality of our own? The differences of mankind create inequalities enough, and more than enough. It is the order of Providence that men should be unequal, and it is, in my opinion, the wisdom of a State to make its institutions conform to that order. But to invert that order, to give the lower classes a preponderance over the others, to make the highest inferior to the lowest, and all for the sake of levelling inequality, and then to set to work to create a fresh aristocracy to counterpoise and balance the evil you have done, seems to me an amount of absurdity which I could not have believed any Government capable of. Therefore, it is from no wish to see this country in the hands of an unbridled democracy that I am opposed to the dual vote, but because I believe it would be invidious, ineffectual, and dangerous. These are the remarks which I have had to make; these are the opinions which I was anxious to submit to the House on those points. I beg to impress upon the House that it is my firm conviction that you will not find a resting-place in a rating franchise, and that all you will do by establishing it is to get up a new agitation on the back of the old one.

Mr. HENLEY: Sir, after hearing the speeches of right hon. Gentlemen, he would be a daring man who would think there was any probability of making any progress with this question at all. Considering the difficulties of the subject, it is a very easy thing to pick holes and raise difficulties which it may seem impossible to overcome. But how do we stand in regard to this question? You must look back a little to the past. Last year we were told—and I am sure with great sincerity—that the time had come when a certain number of those who are now excluded ought to be admitted to the franchise; and in the opinion of those who brought forward the measure of last year that might be done with safety. Now, I have always thought with respect to this question that it was much more important to know what sort of people you were going to admit than how many—that, I confess, was a matter which always weighed strongly on my mind: and when you come to draw an arbitrary line—I do not care whether it be at £6, £5, £7, or £8—you must take all that come within that line, be they good, bad, or indifferent; and in all classes, as we know, good, bad, and indifferent are to be found. Well, I am one of those who think it better, in making a great change like this, to take within the franchise which we are about to establish those who come under the definition of the more steady than of the less steady. I may be wrong, but still I have a notion that, ordinarily speaking, those who pay their way and bear their share of the public burdens come within the category of the more steady. This is no new opinion of mine. I told my constituents the same when I stood on the hustings in 1865, so it cannot be said that I have come to the conclusion hastily. I certainly did think then that the time would come when a very considerable enlargement of the franchise would be necessary, and I believe that it is the safer course to extend it to those who pay their rates. Now, the right hon. Gentleman the Member for South Lancashire has, as it seems to me, almost arrived at the same conclusion; because, if I heard him correctly—and I believe I did—he said it would be desirable that by some means the franchise should be fixed at that limit at which the law for other purposes had fixed the personal payment of rates.

Mr. GLADSTONE: I did not say the particular limit at which the law is now fixed, but if a point could be chosen it would be desirable to do so.

Mr. HENLEY: I think there is not much difference. Well, if that be so, should we not see whether the difficulties which attend both the one and the other of these provisions cannot be dispassionately considered and fairly overcome? As to the question of compound-householders, I am by no means blind to the difficulties which beset it; and yet all those difficulties would arise wherever you were to draw an arbitrary line, because, though the Small Tenements Act has fixed the limit at £6, in the local Acts it rises as high as £25 or £30 in different towns. Therefore it is a difficulty every way, but not one which cannot be overcome, if we fairly agree upon the principle, and set our shoulders to the wheel with a determination to overcome it. That principle I understand to be this—that in towns those who bear the burden of the poor rates, whatever be the amount of the tenement, shall have a vote. There are many advantages which I see in a proposition of that sort, not the least of them being that it does not take in all one class down to a hard line. There are steady men below the arbitrary line—men just as worthy of the franchise as the others, though perchance they pay a little less a week. But it is a great advantage that, in matters of this kind, you draw in various classes of the community, and therefore to that part of the Bill I cordially give my assent. I believe the difficulty with regard to compound-householders may, if we act dispassionately, be overcome, with fairness both to one side and the other; and entertaining that belief, I do think that the proposal of the Government is as likely, or more likely, to settle this vexed question of fifteen years' standing than any other which I have seen proposed to the House. I did not intend to say a word on this question to-night; but since I have risen I cannot avoid making one remark on another part of the subject. I think that the amount fixed for the occupation franchise in counties does come very near what I have always held to be a fair boundary of that franchise, and that is the limit at which the house tax is paid. £15 rating is very near to that, after you deduct 25 per cent. I have always thought that a just limit for the county franchise; but so far as this is concerned, if it had been more liberal, I, for one, would have had no objection to it. To one part of the scheme I should not be frank if I did not at once state my difficulty and objection. I have heard no reason which leads me to believe that dual voting is other than unmixed mischief. I never believed for one moment the statement which I have heard from both sides of the House, of parties being likely to be swamped by the effect of numbers. I do not believe that those who come on to the franchise will be all of one side. That would be contrary to all experience. All tradition, all history tells us so. Some go one way and some another. I do not know why they should now do what they never did before. But if any human ingenuity could devise a scheme that would have such an effect, to my mind the system of dual and cumulative voting would.

I never heard any real argument in favour of either of them—on the contrary, I believe that the almost inevitable consequence would be to drive the humbler classes to go all on one side, and, if so, the other would have a dirty chance indeed. I think the House will entirely agree in what I think should be the principle of the Bill—namely, payment of rates, which should constitute the ground for the borough franchise—that is the old principle, and with it I entirely agree.

MR. ROEBUCK: There is nothing to me more bewildering than a debate about Reform. First of all, we heard that all parties desired that the Reform question should be settled, and then it was said it could only be settled by a liberal admission to the franchise of parties who are now excluded. These points were laid down not to be controverted. Last year the Government of Lord Russell, represented in this House by the right hon. Gentleman the Member for South Lancashire, then Chancellor of the Exchequer, brought in a Reform Bill, and the way they proposed to admit those persons now excluded was by means of a £7 rental qualification. That was not pleasing to this House. They determined that should not pass, and the Government of Lord Russell went out. To them succeeded the Government of Lord Derby; and now comes another plan. The House last year said the qualification should not be rental, but rating; and the Government now, taking advantage of that, say we shall not have any sum to give a right of voting, but we shall take the rating and payment of rates as the qualification for the suffrage. Thereupon up gets the right hon. Gentleman the Member for South Lancashire and makes a speech, inspired I know not by what sort of spirit, neither can I tell what object he had in making it, except to hurt all and sundry. The right hon. Gentleman, having imported into the discussion all sorts of little petty objections which were only calculated to give pain and to do mischief, proceeded to discuss the Bill, this not being the time when the Bill should be discussed. He went headlong into the Bill; and it is remarkable that his speech was not only disingenuous but it was inconsistent. He began by saying that the Bill was a fraud—that it pretended to let in people while it shut them out. That was the right hon. Gentleman's first proposition. His next proposition was that it let in everybody, and that it would utterly ruin the British Constitution. ["No!"] It may be said that he never said it; but I say that he did say it. Then he went through the Bill step by step, and his first objection was taken to the rating clause. Now, I do not wonder at that, because that was the provision that turned the right hon. Gentleman out of office. But, not content with objecting to the rating clause, the right hon. Gentleman misrepresented its effect. Let us see what the rating clause really is, and what is the object that all of us—with the exception, I believe, of the hon. Member for Birmingham (Mr. Bright)—have in view. Our object is to let into the enjoyment of the franchise that portion of the working classes who by their intelligence, their probity, and character are persons to whom we can confide the interests of the country. That I believe to be the object of every right-minded man in this House. But how did the right hon. Gentleman endeavour to carry that object into effect? Not by letting in everybody, not by letting in the uneducated rabble. "No," the right hon. Gentleman said, "if I reduce the franchise to a £7 rental, I shall obtain just the very class of men we desire to have as voters." That was the way in which he endeavoured to bring in these persons. The attempt was made and failed. Now, the mode in which the right hon. Gentleman opposite attempts to effect the same object is by introducing a rating franchise. And what is the rating franchise? Simply this, that we do not ask what a man pays in the way of rent; all we ask is, Is he rated to the poor? If he is rated to the poor, then the next question is, Does he pay his poor rates? That I believe to be the difference between the methods of the right hon. Gentlemen. It may be that a man is rated to the poor, but that the rates may be paid by the landlord; and the law has stated that, for the purposes of the revenue, in certain cases the rate shall be paid by the landlord. Could anything be more absurd than to raise up a phantom objection of this sort, when we know that when the Bill gets into Committee the thing can be established at once—that by a few words we may render the whole thing so plain that those who run may read. There can be no difficulty or heartburning about the matter. Who can be injured by such a scheme being carried into effect? "Oh!" says the right hon. Gentleman, "you will create heartburnings in those people who don't pay their own rates." Now, did he not do exactly the same thing when he stopped at the £7 rental—did he not, by doing so, create heartburnings in the hearts of those who only paid £6 rental? What possible distinction can the right hon. Gentleman draw between the two cases? But, then, why make the objection. Oh, the "why" is very clear—because those Gentlemen sit upon the opposite Benches. The next question is that relating to the residence required by the Bill—a question which appears to me to be an all-important one. If anybody is allowed to vote the day after he comes into a house, you give the franchise to a passing, wandering class of people, in whom you have no confidence, and who are open to every possible mischievous influence; but when you say to the voter, "Before you can vote you must have resided in your house for so long, and thus paid a sort of respect to the requirements of society," you will enfranchise a class of persons in whom you may place the fullest confidence, while you will keep out of the franchise the wandering and passing population. I want, therefore, to know whether there is any difficulty about that point. On the third proposition of the Bill, that relating to duality of voting, I agree with the right hon. Gentleman the Member for South Lancashire, that it is not only mischievous but utterly impracticable. But when the right hon. Gentleman says that is a proposition fatal to the Bill, I do not agree with him. We can throw out the clause containing that proposition in Committee, and then, I believe, we shall have a very good Bill. But supposing we were to throw out this Bill, I want to know what is to succeed it? Let us follow in our own minds the steps that would be taken. The Bill is thrown out. I will not take Lord Derby's threat of a dissolution for anything. I do not think it a proper observation for him to have made. [An hon. MEMBER: He never made it.] I hope he did not. I will suppose, then, that no dissolution will take place. Well, then, the Government Bill is thrown out, and the Government themselves go out after it, and the right hon. Gentleman comes in. And then what is he going to do? The right hon. Gentleman has tried the £7 franchise and has failed. The household suffrage has been tried and has failed. Is there anything between them? Will the right hon. Gentleman suppose that, after having failed to carry a £7 franchise he will be able to carry a £6 one? Why, we shall then come to a dead standstill; we shall never carry a Bill at all, and the question of Reform will not be determined, and we shall not have admitted to the franchise any of the lower classes of our population. Therefore, our plain and simple course is to discuss this Bill upon the second reading—to read it a second time, to bring it into Committee, make it what it can be made—if necessary, take it out of the hands of the Government:—but, at all events, let us pass the Bill. While this debate is going on the country is in a state of disquietude. The mind of every man is disturbed, and until this question is determined England will know no quiet. It will probably be said "Oh! but we must have some resting-place." But is there any resting-place in human affairs? "Sufficient to the day is the evil thereof." Let us pass what we believe to be the best Bill we can pass at this time, and let us leave it to posterity to settle its own affairs. No Reform Bill you can pass will ever be a stable measure—it will go on from time to time changing as society changes, and as wants, necessities, and intelligence change, so will change with them the laws of this country.

MR. BERESFORD HOPE observed, upon the position in which independent Conservatives who objected to the Government Bill were placed as to their action in regard to it. It was always painful to have to express one's sentiments when truth and honour were on one side, party allegiance on the other. He regretted to say that, in his opinion, they had now reached one of those stages. Appeals were made from the Treasury Bench to the Conservatives on their party duty—he might almost say their political chastity—to support the Bill, and they were bound to ask themselves were these views of their duty sound. They were still more bound to do so after having listened to the able and exhaustive and really Conservative speech of the right hon. Member for South Lancashire that evening. ["Oh, oh!" *from the back Conservative Benches.*] He repeated his assertion, it was really Conservative; and what wonder? He was himself an old enough Member to recollect when that right hon. Gentleman was the rising hope of the unbroken Conservative party, then under the great leading of Peel. He would not say what the unfortunate differences were which had caused the separation, and by whose management they had been aggravated and made perpetual. Faults, no doubt, there were on Peel's part of manner and policy much to be regretted; but these need not have led to a perpetual breach, they need not have engaged the Conservatives in the unfortunate mistake of resisting the good policy of free trade. But for that mistake, and that management, the Conservative party would have been standing in a very different position that evening. If, then, the right hon. Gentleman would at last come back to those good views which they had held in common when they were a united and powerful party, led by the great name of Peel—if he said there were a way opened for them to return to those days, ought not any man who loved Conservative principles more than Conservative tactics and dodgery to rejoice? The Bill of last year, comparatively moderate as it was in its provisions, was rejected because the Conservative party were led, by those who were placed over them, to believe that it would cause a dangerous disturbance of the influence which property had previously maintained in the country. Were not they deluged with speeches and papers as to the predominance of numbers over property which it would involve? Did not their breakfast-tables groan with clever pamphlets written by Mr. Dudley Baxter, confessedly by inspiration from the governing powers, all harping upon this strain? So Lord Russell was turned out, and the present Government came in, wholly unpledged on the question of Reform, except in the negative way of having voted against every proposition of the other side. However, it chose to bring in its own Reform Bill, and though the House had not as yet seen the Bill of the Chancellor of the Exchequer, they had heard him that night describe to them the provisions of the third or fourth public edition of his measure, the previous editions having it seemed been printed for private circulation amongst a select number of his political Friends. Now, by the proposed Bill of the right hon. Gentleman, the relations of property to representation were entirely thrown aside. They were told that the personal payment of a rate of any amount was quite sufficient to make a man so good a citizen as to entitle him to be intrusted with the franchise. That principle might be right or wrong, but it certainly was not the principle upon which the Conservative party had contended against the Bill of last year, it was not either the principle of that Bill, and still less was it that of the Bill of 1832. Nothing had given him (Mr. Beresford Hope) graver cause to distrust the Chancellor of the Exchequer's scheme than the use he made of the original Reform Bill to support his position. It was idle, on the part of the Minister, to go back to times before the Reform Act, while a measure that required to be bolstered up by the preposterous assertion that the poor had been deprived of the franchise in 1832 could have very few merits of its own on which to depend. The reason which mainly prevailed for passing the Reform Act was that the old so-called popular franchises by which "potwallopers, freemen, and scot and lot voters" were qualified had broken down, and had led to the domination of what in another part of the same speech the same debater had not scrupled to call "a heartless oligarchy." These franchises had, in their barbarous rudeness, become wholly unsuited to modern civilization; and, as all moderate and reasonable persons acknowledged, were the fruitful source of manifold corruption. This was the weakest spot of the old system; yet it was these bad, psuedo-democratic boroughs which the Chancellor of the Exchequer seems to regret and to be desirous to revive. The Act of 1832, founded on the assertion of middle class intelligence, might not be perfect; but it was a great point of departure in our political history, and was followed by many beneficial measures, many of which the Conservatives supported, and many of which they originated, until at last the great crisis of free trade was reached, when, listening to evil counsels, they unfortunately deserted their great Leader. Had they not done so the Conservative party would not have been in the plight in which they now found themselves. In 1832 the connection between a certain amount of solvency on the voter's part and the enjoyment of the franchise was established by law, and that principle had hitherto been recognised by every one of the proposed Reform Bills which had been introduced since that date. In all of these the real question was to establish a solvent constituency. The line may or may not have been drawn too low; still, the principle remained. The Bill of the present Government, however, was a sudden, a wanton, and dangerous deviation from that sound principle; and it was not fair for the Chancellor of the Exchequer to call on those who sat on the Ministerial side of the House upon their party allegiance to pass a measure which was framed with such intentions. So far as he could understand the Bill had two intentions: one, the public intention, was to outbid the Liberal party in the market of liberalism—the other, the private intention, was, that the Conservatives should believe in the rotten and fallacious restrictions with which the measure was incumbered, and which the first Parliament elected under the new suffrage would destroy. This was not an honest Bill; it was a Bill with two faces—a Bill that did not explain itself. It might really be a restrictive Bill, and then its effect would be to raise the fiercest passions of the people by pretending to gratify their wants and then snatching away the gift from their very mouth; or, on the other hand, it might carry out all that on its face it was meant to induce Mr. Beales, Mr. Odgers, and Mr. Leicester to believe that it would do, and then it would be nothing less than revolution. Suppose the Bill passed in its broadest and most dangerous form, it would induce either democracy—a system under which property and intelligence had not their due weight, and under which mere numbers and the cravings of those who wanted and had not became predominant —or, what would be still worse, a more base form of plutocratic government than any that we had known hitherto—worse even than the plutocracy which was an element of the system before 1832. The nomination boroughs were not the worst evil of the system which preceded the Reform Act. They might have been reactionary, exclusive, and so on, but there was no bribery about them. Old Sarum and Gatton had not the corruptible elements in them, for the transaction which made the Members was recognised and approved by the customs of society; and although the system was indefensible, their representatives were often men of genius and statesmen. But there were other boroughs which were purchasable by the highest bidder at that time—the boroughs in which the reduced town franchises, of which the Leader of the House is so fond, "potwallopers, freemen, scot and lot, and ancient right voters," and so forth prevailed. So, although Totnes and Reigate, Lancaster and Yarmouth, had taught us that we had not so completely extinguished corruption as we had imagined, that was no reason why we should add to its opportunities by placing the whole body of householders at the disposal of that omnipotent agent of evil, the election attorney. If this measure did not land us in democracy it would land us in all the worst evils of corrupt, dirty, and low electioneering. The machinery of the present Bill by which compound-householders would be able to obtain the franchise, was one that would undoubtedly lead to very extensive corruption. Under such machinery the scot and lot voters would obtain a new vitality, and be shuffled by a political pitchfork into the new constituency. Nothing was easier than an arrangement by which the rates now paid by the landlords could be transferred to the credit of the compound-householders, when their votes could be secured in favour of certain persons. He seriously appealed to the conscience of hon. Members whether they could with their eyes open consent to a measure which would lead to such a result. Let any of them in the privacy of his own heart look back upon the incidents of his own electioneering, and he (Mr. Beresford Hope) ventured to say that none could be quite satisfied with the retrospect. None there was who would not be conscious of things said and done and allowed, which, under other circumstances, he would have shrunk from. That which with the most truthful of men is truth, and with the most honourable is honour, too often changes its name and nature when driven to mingle in elections, and that is connived at which at no other time would even be tolerated. Yet the great advantage of this Conservative Reform Bill, brought in by a Conservative Government, was to extend and perpetuate these evils. The right hon. Gentleman had passed very lightly over his educational franchises; but there was one about which he must say a few words, although it had not been referred to that evening. It was proposed by this Bill to give votes to all persons who had passed the Oxford or Cambridge middle-class examinations. Now, as one who belonged to Cambridge, and who had the highest respect for a real degree, he must say that nothing more preposterous or degrading to the Universities could be conceived. The University degree could only be obtained as the result of prolonged and continuous training, and its possession showed that a man enjoyed a certain social status, and so the enfranchisement of the genuine graduate was defensible. But how were the certificates of these middle-class examinations obtained? A lot of hobble-de-hoys, about eighteen years of age, were brought together in a room and examined for two or three days by a delegated master of arts, and to every one of them who, after being crammed for the occasion by the village schoolmaster, obtained a pass, was to be for the years to come enfranchised by this precious scheme. He might, in after life, fall lower than the lowest; might become tapster, crossing-sweeper, or anything else; but he would have the franchise in his pocket, and would be able to exercise it for a consideration. The boroughs and counties would be crowded with the very worst specimens of the poor scholar, who had spent six weeks in acquiring a little learning which he would occupy sixty years in forgetting while selling its results to the briber at every successive election. The number of holders of these middle-class certificates might not be very numerous just now; but once it was known how convenient an avenue it was to the suffrage, might they not trust the industry of election agents to behold the advantages of the Oxford and Cambridge local examinations. He ventured to suggest one more fancy franchise to the consideration of the Government for a class of persons who, by their possession of the qualification which he was going to name, showed an improving mind and a great deal of industry, and above all gave pledges for a lengthened fixity of residence—namely, a suffrage for the ticket-of-leave man. He hoped that by the time the Bill got into Committee the right hon. Gentleman the Chancellor of the Exchequer would frame a clause to admit the ticket-of-leave man, for that would crown the edifice.

Mr. BUTLER-JOHNSTONE said, that however unwilling he might be generally to trespass on the attention of the House, he felt that on a question of so much importance as a Reform of the Representation of the People he could not remain silent. He confessed that the speeches of the right hon. Gentleman the Chancellor of the Exchequer and the right hon. Gentleman the Member for South Lancashire had not filled him with misgiving or alarm on this question; but, on the contrary, they had inspired him with hope, because he thought he saw a way open for the satisfactory settlement of this difficult and vexed question. He cordially agreed in the spirit of the speech that had been delivered by the hon. and learned Gentleman the Member for Sheffield (Mr. Roebuck), and the man he should best like to see intrusted with the framing of a Reform Bill was the hon. and learned Gentleman. His reason for this was that the hon. and learned Gentleman did not give way to those terrors and fears which were unfortunately entertained on the Ministerial side of the House; and also because the hon. and learned Gentleman was not impressed with any desire to pull down old institutions, which were endearing to Englishmen, and therefore stable, in order to substitute in their stead new-fangled and unstable devices. He thought, too, with the hon. and learned Gentleman, that we need not be over anxious to settle this question from any fear as to the effect of another year's agitation—he had too much confidence in the sound good sense of Englishmen to have any fear on that ground. The picture that had been drawn by the hon. Baronet the Member for Dundalk (Sir George Bowyer) showed the common-sense English view of the question. The remarks made by the audience at the meeting in Trafalgar Square, presided over by Mr. Potter, seated between two of the lions of the Nelson Monument, were a good sample of the opinion of the country on the matter. Englishmen did not wish to take the settlement of the question out of the hands of responsible statesmen, but that it should be settled in that House. There was nothing more significant than the conduct of the people during the last six or nine months. When the House was not sitting they got up demonstrations in the country and in the metropolis; but the moment the House met and the question was taken up, to be dealt with by the responsible Ministers of the Crown, these demonstrations collapsed and died a natural death. The people wished to see the question settled, and he was even more anxious to see it settled by the unanimity of leading Members on both sides of the House than that it should be a better or a worse Bill. When he heard that the reported conference between the Chancellor of the Exchequer and the right hon. Gentleman the Member for South Lancashire had not taken place, he thought it was an unfortunate thing; because in altering the franchise they were, in fact, framing a new constitution, and it was more important that such a Bill should go forth to the country with the seal and *imprimatur* of the leading statesmen of the country than that it should be a better or a worse Bill. A Bill would be well received in the country just in proportion as it received their assent. He was anxious that a Reform Bill should be carried this Session, because so long as Reform remained unsettled the unity of the country was destroyed; because a feeling existed in the country among a large class of the community that they were unjustly excluded from a share in the Government of the country. The hon. Gentleman the Member for Birmingham (Mr. Bright) stated last Session that the artizans in the large manufacturing districts read the American papers and took more interest in the politics of the United States than of their own country, and that he looked upon it as an untoward state of things. And in that he (Mr. Butler-Johnstone) cordially concurred. It was a far greater evil that our mechanics should be careless of the position, and indifferent to the interests, of their country than that they should succeed in getting passed laws with which the present House of Commons disagreed, or that they should run counter to the preconceived ideas of the upper classes, or even somewhat overtax the rich. England, unhappily, was not now so united as she ought to be; but was like those animals which possessed a double organism—two centres and two hearts. The heart and pulse of England did not beat in unison as it ought to do, and would not until this great question was settled, and the sooner the better. If this country was to be engaged in a life and death struggle with any of the nations of the world—if we had to defend our overland route to India — if we had to maintain our passage through Egypt—how should we fare if the whole country was not united? He believed that the difficulties of the recruiting sergeant were, in the last resort, to be traced to the question of Reform—if the question of the representation of the people were once settled, the question of recruiting the army would soon be solved. With a fair representation of the people we might have even a conscription; but we should never have a national army until we have a national suffrage. The question could not, however, be satisfactorily settled until both sides of the House took each other into their confidence; and with that feeling, although the Bill contained many points to which he seriously objected, he thought they might carry a satisfactory measure of Reform. He objected to duality of voting. A Reform Bill was wanted to do away with the inequalities that at present existed, and make the nation as one; but by adopting duality of voting they would create an invidious distinction greater than any inequality which at present marred our representative system. They might call it counterpoise or what they liked; but he was sure neither the country nor the House would accept it, and the Government must throw it over. The House would then be able to adopt the household suffrage with two years' residence, and endeavour to solve the question of the compound-householder—a difficulty which he thought they might soon satisfactorily get rid of. The present Government had, no doubt, committed many errors; but they had not, like the right hon. Gentleman the Member for South Lancashire, committed the error of breaking its bridges and burning its boats. The Government were disposed to take the House into their confidence with reference to the Resolutions; and why should they not continue to act in concert with the House on the Bill, and so pass a measure which would be satisfactory to the country? If any check were wanted for household suffrage, it was not to be found in duality of voting, but in the redistribution of seats in such a way as to give to neighbourhoods and districts a common life and consciousness of their own, in which case the voters would elect the best man in the neighbourhood to represent them in Parliament; and that, he thought, would be the best check against a democratic Parliament. There would then be no fear of danger, for there was no country in the world where public men were so much trusted as in England.

Mr. BUXTON said, he only wished to make one remark. He was not about to enter into the question of three-cornered constituencies and cumulative voting; but he wished to say that he found that so many of the most thinking minds of the country were very strongly impressed with the advantages which would arise from this principle, that he hoped the right hon. Gentleman would afford the House an opportunity of discussing its merits. He could not but express the hope that the right hon. Gentleman would be brought to perceive the intrinsic merits of such an arrangement. At any rate, it was only a question of what would be the most judicious and convenient mode of allotting the seats at the disposal of the Government. The system had been advocated by some of the most profound reasoners. The hon. Member for Westminster had supported it; and that such an arrangement was not without its instrinsic merits was obvious from the fact that such practical men as Lord Aberdeen and his Colleagues actually introduced a Bill to Parliament to carry it out, and he was assured they never altered their opinion with reference to it.

MR. SANDFORD said, it was recently announced that the Government were about to revert to "their original policy." In accordance with the right hon. Gentleman's original speech, if that meant anything, it pointed to the fact that the Act of 1832 abolished the ancient franchises of the country, and that he was willing to restore them. Well, what was the basis of this Bill proposed to-night. It proposed to substitute another uniform system of suffrage for the uniform £10 value suffrage which now existed. That was not in accordance with the speech originally made. If there was one of the Resolutions recently brought forward on which this Bill was founded—and he, for one, doubted if it was founded on the Resolutions at all—the Resolution which most commended itself to him, and he believed to the majority of the Conservatives, was the third. It was in these terms—

> "That, while it is desirable that a more direct Representation should be given to the Labouring Class, it is contrary to the Constitution of this Realm to give to any one class or interest a predominating power over the rest of the Community."

He asked any hon. Gentleman who sat behind the Chancellor of the Exchequer, and he asked the right hon. Gentleman himself, how he proposed to carry out the principle of that Resolution? In the Bill they had heard explained, there was only one attempt to carry it out, and that was by dual voting. Never had there been made to that House a proposition at once so illusory and so insulting. Why, the right hon. Gentleman himself had laid no facts and figures before the House. He could account for that. He did not believe that the right hon. Gentleman had got them himself. But he (Mr. Sandford) had taken the trouble of going into the matter and finding what would be the practical working of this measure in his own borough (Maldon). While in that borough this plan would give an addition of several hundred votes to one class, the counteracting principle of dual voting would add about sixty votes to the constituency. He believed that this was a fair example of the effect the Bill would have in a large proportion of the boroughs. But if this proposal was ineffectual as a check it was effectual as an insult, for by a dual of infelicity the Bill proposed to enfranchise a large number of persons and to insult them. For, at the same moment, the Government told Lazarus that he was in a position to receive the electoral trust, but that it was not fitting he should be put in the same position as Dives. They gave one vote to one man because he was poor; and they gave two votes to another man because he was rich. If the Government chose to introduce this principle of plurality, it should have been done in such a way as to make it an effectual check; but this hybrid measure had the worst features of both systems. It did not protect minorities, and it insulted majorities. The right hon. Baronet the Member for Droitwich had addresssd his constituents on this Bill. Now, it was to be borne in mind that when a Cabinet Minister made a speech at a hustings on the occasion of his being returned without opposition he was very much in the position of a parson preaching a sermon. There was no one to reply to him. He thought that circumstance was very much to be regretted; because if it were otherwise, in both these cases the quality of the article would be very much improved if there was any one present to give an answer. He ventured to say that the right hon. Baronet the Member for Droitwich would not have dared to make that speech in the House of Commons if any one of his retiring Colleagues was there to answer it. What had he said? Why, that his retiring Colleagues had not taken such a liberal view of the question as he had done. Might he take the liberty of asking the right hon. Gentleman what was his meaning of "liberality?" Was it close proximity to Messrs. Beales and Potter? If that was his definition the right hon. Gentleman had a right to consider that liberality was almost entirely concentrated in his own person. He believed the only interruption the right hon. Baronet had received during the delivery of his Droitwich speech was from an individual who exclaimed, "Why, you go further than Bright." [Mr. BRIGHT: No; "You are worse than Bright."] He thanked the hon. Member for correcting him, and gave the right hon. Member for Droitwich the benefit of it. He begged to ask the right hon. Gentleman, also, whether he held his liberality to be a test of his excellence? What, then, were the principles in the names of which the right hon. Gentleman took his seat on the Treasury Bench? Was he there as a Liberal?

He had thought that the present Ministry were Conservative; but perhaps he had been mistaken. If the right hon. Gentleman prided himself on being a Liberal, he now begged to congratulate the right hon. Member who sat behind him (Sir John Pakington) and his Colleagues. The right hon. Gentleman at Droitwich also charged his retiring Colleagues, not only with illiberality, but with precipitation. It was evident that he had received the permission of Her Majesty to disclose Cabinet secrets to the electors of Droitwich; because he was sure that without such permission the right hon. Gentleman would not have made the disclosures he had made there. He therefore begged to ask him how long the Government had had this Reform question under their consideration? He would ask him another question also. When had this Bill become a definite part of the Ministerial programme? He had every reason to believe that when Parliament met a Reform Bill was not in that programme. It was adopted subsequently to the commencement of the Session. He now asked the right hon. Gentleman to tell him the exact date at which the question of Reform was formally brought under the practical consideration of the Cabinet? He was sure the right hon. Gentleman would speak that night; and it would be very hard if he should not be as communicative to the House of Commons as he had been to the electors of Droitwich. The meeting of the Cabinet which led to the examination of the Bill by the Members of the Government who subsequently retired took place on the 23rd of February. How long before that had this Bill been practically proposed to the Cabinet? He would get an answer. Was it a week? The right hon. Gentleman did not answer. Well, he thought he could inform him. It was a week. [An hon. MEMBER: Ten Minutes.] No; the first Reform Bill took about a week. It was the second which only took ten minutes. This great question, which had been agitating the country and every one in it for months, first received the practical and serious consideration of the Cabinet one week before they assented to it. As he understood, the retiring Members of the Government had given thirty-six hours' consideration to it after the meeting of the Cabinet on the 23rd of February. He begged to ask the right hon. Gentleman how many hours' consideration he had given it? He asked him whether he had ever seen any figures or statistics on the subject up to the Monday on which his three Colleagues refused to assent to it? He ventured to think he did not. He might have had something casually read to him by the Chancellor of the Exchequer; but he would be bound to say that he had not had the handling of a fact or figure in it up to the 25th, the day on which the Chancellor of the Exchequer came down and proposed the other Bill. As the right hon. Gentleman had praised this measure as such an excellent and such an honest one, he might remark that there was something to be said on the other side. Its excellence was, of course, a fair subject of discussion, it being a question of opinion; but with respect to its honesty, there was a practical test which might be applied. Supposing the right hon. Gentleman the Member for South Lancashire had proposed this measure last year, would the Gentlemen who now formed Her Majesty's Government have acceded to it, or would they have opposed it? Perhaps, however, he might be told that he was putting a hypothetical case; but he might remind the House that they had the means of approximating to a correct opinion on this point. When the late Government brought forward their proposal for a £7 rental franchise in boroughs, did the right hon. Gentleman the Member for Droitwich, or the right hon. Gentleman the Chancellor of the Exchequer, propose the present scheme by way of Amendment? He had searched the notice book in vain to find any such Amendment. So much for the honesty of the measure. Twenty years had now elapsed since the Conservative party was first led by their present chiefs—by the Earl of Derby in "another place," and by the right hon. Gentleman the Member for Buckinghamshire in the House of Commons. Everybody, however, was aware that Lord Derby, like many other Sovereigns, reigned, but did not govern, and we all know who the Mayor of the Palace really is. In the course of the period referred to, the Conservative party had held office three times. On the first two occasions its tenure of office had averaged about twelve months—and, for his part, he did not think that term would be exceeded on the third occasion. How was it that the Conservative party had retained office for so short a time? Because they did not command a majority in the House. And why did they not command a majority in the House? Because they did not command a majority in the country. And why did they not command a majority in the country? Let us be frank. The Conservative party depend for support on the respectable portion of the community. But the Conservative party could not command the respect of that portion of the people unless they assumed a policy that was respectable. To be respectable it must be respected; and they might depend upon it that no Government would ever command the respect of that portion of the community unless it carried out in office the same principles which it had professed in opposition.

MR. OSBORNE: I apprehend, Sir, that there are below the gangway some respectable compound-householders, if I may so term them, who are not very well pleased with the course which has been pursued by Her Majesty's Ministers. Now, it appears to me that the question before the House is not the consideration of the speech made by the right hon. Gentleman the Member for Droitwich (Sir John Pakington) to his constituency—not the confidential communications which he made to his constituents upon that occasion, but whether we are to read for the first time the Bill which has been propounded to us. Since I have had the honour of a seat in this House I have never seen—have never heard a Bill which was not actually in our hands so discussed and so torn to pieces as this has been. I think that we have, above all things, one great duty to perform. I confess I am a party man; but I am not so much of a party man that I cannot on an occasion like the present elevate myself above mere considerations of party, and give to a subject which is stirring the heart of this country that fair consideration to which it is entitled. What is the use of our having talked about our forbearance if on the first blush of the Bill being introduced we throw cold water on every proposition it contains? and if, because we do not agree with particular clauses, we say we will not discuss the Bill? Now, Sir, I have small weight and no following in this House; but there may be people outside the House who may agree in what I am about to say, and if there be any in this House of the same opinion, I would say to them, "Do not imitate the course of the three seceding Cabinet Ministers;" or, to use the language of the right hon. Gentleman the Member for Droitwich, "Do not be too precipitate in your condemnation of the Bill." You know not exactly what you are about to condemn; do not therefore be too precipitate, but give the measure a fair consideration. Let this Bill be in our hands, and let it proceed to a second reading. There may be some mistakes in it; but let us remember what a great mistake our own party made on a former occasion. I firmly believe that it is possible to settle this question if we approach it in a fair spirit. I grant that the occasion is tempting to twit right hon. Gentlemen on the other side of the House, as has been done by the hon. Member for Maldon (Mr. Sandford) with his ready wit and facile manner; but, for my part, I shall not twit them for their inconsistency. As a Member of Parliament I have a higher duty to perform. This question of Reform stops the way, and the problem to be solved is how are we to get it out of the way. We cannot pass a Bill on this side of the House; we have tried our hands at it and have failed. Let, therefore, the hon. Gentlemen on the other side try to settle the question. No doubt they have behaved generally ill; but it is no argument to tell me that they brought in a Bill which failed, and that then they brought in this and that. I give them credit for wishing to settle the question. Why, then, should we put the whole business of the country in suspense by evoking a desperate party spirit? The effect of that would be to strangle all chance of passing a Reform Bill. At least, I humbly think so; and I say, whatever we do, let us give this question fair consideration, and, after discussing the principles and the propositions of the Bill, let us proceed to the second reading. I apprehend that no one intends to throw out the Bill on the first reading, although it would almost appear from the speeches of some hon. Gentlemen that they had no desire to see the Bill in print. I confess the Bill contains several things with which I do not agree; but these matters may be corrected in Committee. One great principle which I have voted for—namely, household suffrage—is embodied in that Bill. Now, I take that and will make the best of it; and I think the House will be wrong if they prematurely come to any decision on the subject. I say, go to a second reading. Reverting to what was said by the hon. Member for Huntingdon (Mr. T. Baring), I may express an opinion that the Government ought not to be called upon to state the vital points of the Bill at this early stage. The proper time for that is on the second reading. With regard to the speech of the Chancellor of the Exchequer, I shall not go into small details, such as the duality of votes, which, I believe, is already consigned to the tomb of all the Capulets; but I may remark that I did not hear any allusion in that speech to a Bill in which I took part last year, with the hon. Baronet the Member for Northamptonshire (Sir Rainald Knightley), for the prevention of bribery and corruption. If, after the speech of the hon. Member for Maldon, I am not exhibiting unnecessary inquisitiveness, I would ask the right hon. Gentleman whether that bribery Bill is also embodied in the measure propounded this evening. So much for the Bill itself. I may, however, say that I entertain one great objection to the proposed scheme of re-distribution. I think it possible that by the Bill you are bringing in you may settle the question of the franchise; but I feel very certain that if the re-distribution is as you have announced it to-night it is no settlement of the question at all, and I shall feel myself called upon to move a Resolution, unless some greater changes are made and the re-distribution Bill be altogether separated from the franchise Bill. That is a separate consideration. But, although I may be in a minority, I, for one, will not consent to give a precipitate judgment upon a Bill which I have not seen, because I have some sanguine hope that by mutual give and take on both sides of this House we may pass a Reform Bill during the present Session.

Viscount CRANBOURNE: I most cordially re-echo the exhortation of the hon. Gentleman who has just sat down that we should give a fair and candid consideration to the Bill which the Government has introduced. I think nothing less is due to those frequent professions of anxiety to settle the question of Reform which have been made by all the Members of this House. But I cannot agree with the hon. Gentleman that discussion upon the first reading of a measure is inconsistent with that desire; because if I did so I should be pronouncing upon many Gentlemen in this House, and on myself among others, a severe condemnation. Last year when the Bill of the right hon. Gentleman the Member for South Lancashire was introduced, we debated that Bill on the first reading for two nights; and I am bound to say he did not then reproach us on that account with failing to give it a fair and candid consideration. On the contrary, there are great difficulties of principle as well as of detail to settle; and the more we attempt to approach a solution by the exchange of thoughts, the more likely we are to attain that desired end. There is another point on which I confess I am unable to agree with the speaker who has just sat down. It is very desirable to give a fair and candid consideration to this Bill; but I think it still more desirable to know what it is that we are giving a fair and candid consideration to. A Bill may be brought in upon two plans. You may either bring in a Bill intending to stand by all its main provisions, and in case those main provisions are not carried through Committee to abandon the Bill. If you do that those who vote for it on the second reading know what they are doing. But you may adopt another plan. You may take the House into your confidence; you may bring in a Bill intending to drop out any provisions to which the House may show its objection; and after all you may adopt whatever Bill comes out of Committee. But if you adopt that course the inevitable result is that you ask those who support you on the second reading to take a leap in the dark. I think the House has a right to know which are the main provisions of the Bill to which the Government attaches importance. The House, I think, has a right to know that in the case of all great Bills; but above all it has a right to know it in the case of a Bill the very plan of which is a system of counterpoise and compensation. Suppose you drop out household suffrage and adopt the dual vote, every Gentleman opposite will agree, I think, that the character of the Bill passed in that shape would be materially changed. On the other hand, if you drop out dual voting and retain the household suffrage, the character of the Bill will be changed as violently in the other direction. We therefore have a right to know the character of the Bill in any discussion that takes place with regard to it. I ask for this information with the more confidence because, from what I know of the character of my right hon. Friends, I feel certain that the recommendations which have been addressed to them by two or three Members of this House to take any Bill the Committee liked to give them, to allow a personal payment of rates and dual voting to be struck out of the Bill, and to send up household suffrage pure and simple to the House of Lords will meet from them with a firm—I might almost say indignant refusal. Just think for a moment of the figure they would assume—the aspect they would wear in the eyes of their countrymen, if, after all we did last year, they became the instruments of engrafting household suffrage pure and simple upon the Constitution of this country. A Reform Bill is a very important thing—few more so could come under our discussion; but I venture to think that political morality and the respect in which public men are held by the people of this country are of more importance than any provisions even of a Reform Bill. I would far rather see a very bad Reform Bill passed by the hon. Gentleman the Member for Birmingham (Mr. Bright) than a Reform Bill inconsistent with all their traditions, with all their preceding action, with all their professions, and with all the provisions on which they have induced others to vote passed by my right hon. Friends upon these Benches. I hope that in saying this I shall not be misunderstood. I do not wish to insinuate in the slightest degree suspicion of my right hon. Friends; but I heard with something approaching indignation the recommendations of hon. and right hon. Gentlemen opposite, who I am sure made them without thinking of the amount of dishonour those recommendations involved, and I am anxious to repel on the part of those whom I respect the very suspicion of such a course of action. I am anxious not to preclude myself from any line of action which hereafter I may feel it right to take. And I am sorry that the Chancellor of the Exchequer in his speech rather seemed to hold out that those who met Lord Derby on Friday last, and did not express disapproval of the Bill, thereby had given their consent to its provisions. [The CHANCELLOR of the EXCHEQUER: I did not say that.] Then I am glad I misunderstood my right hon. Friend. I went to that meeting to show my sincere respect for the noble Earl, and to hear the statement which he had to make. But I expressed my disapproval of the principle of that Bill by the very strongest act a public man could take, and therefore I should be very sorry to be held out as having so lightly abandoned my opinion. My objection to this measure is of this nature. It is a household suffrage Bill, practically with two compensations, for I do not say much of the third or residential clause. I thoroughly approve it; as far as it goes it will do good; but its effects will be very small. The two compensations are, first the dual vote, and secondly personal payment of rates. Of these, besides other objections which may be made to it, one I regard as inefficient and ineffectual for its purpose; the other, though most effective—almost too effective—for its purposes, is certain to be swept away. The dual vote labours under this disadvantage. The right hon. Gentleman the Member for South Lancashire complained — and I thought with justice, for I have made the same complaint myself—that there was not sufficient information before the House to enable it to judge of the precise effect of this proposition; but as far as we are enabled to speak, we can say this confidently, that wealth aggregates itself round large centres. Those, therefore, who will have the dual vote are congregated in masses in the large towns. And consequently, while household suffrage will introduce into the middle-sized and smaller boroughs an overwhelming mass of voters, the dual vote, which is supposed to compensate for that reduction, will take effect chiefly in very large towns, where it may affect a few seats, but in all probability very few, being lost in the mass of the population. This is a matter which can only be proved satisfactorily by statistics, and the papers on which statistics should be founded are not on the table of the House. As far as the statistics at our command go, I can only say I have a strong belief that for all practical purposes you may set aside the dual vote as any compensation whatever; and if even it were any compensation, no one could have listened to the debate this evening without perceiving that whatever abstract logical reasons there may be in favour of the proposition—and I am far from denying that such may be urged, for I believe that the proposal is good in itself, and I am by no means ready to endorse the hard names which have been given to it this evening—still, rightly or wrongly, no one can fail to have seen that the proposition is thoroughly unpalatable to this assembly. In saying this I am not condemning the dual vote, for I joined in recommending something analogous. I believe it to be just and fair in principle, but that it is not acceptable to this House. Setting aside the dual vote, which will not pass, and if it did would do no good, I come to the personal payment of rates. That is a very important limitation. But what chance have you of sustaining it?

The personal payment of rates means this —that in towns where the Small Tenements or other local Act is in force, no one whose house is compounded for shall be allowed to vote unless he will pay on the sum he has hitherto been accustomed to pay his landlord an advance of some 25 per cent. The right hon. Gentleman the Member for South Lancashire described that as a fine, and some hon. Gentlemen received the remark with derision; but though the metaphor may have been somewhat violent, the fact remains that a man who lives in one of those houses will be obliged to pay something more before he can obtain a vote. Upon a £5 house the poor rate paid by the landlord would be, say, 4*s.*; the tenant paying an advance of 25 per cent would pay 5*s.*; and thus a compound-householder wishing to be upon the register would have to pay every year 5*s.* for the privilege. The difficulty may be solved in one of two ways. The obvious, and I believe the practical way in which it will be solved will be this—the electioneering agent will keep upon the register those whom he may be desirous of seeing there, and every person who has studied that edifying portion of our Parliamentary literature which deals with election expenses will know that the sum of 5*s.* a head for voters is an exceedingly cheap price. What will the result be? Out of our 200 boroughs there are ninety-eight in which this Small Tenements Act is partially at work—that is to say, that in one parish in each of these boroughs a compound-householder will have to pay 5*s.* for his vote, and that in another parish in the same borough a man of exactly the same social status, living in a house exactly the same size, will be able to have his vote without paying 5*s.* for it. Do you not imagine that this inequality brought so close home to him, and taking so practical a form, will be most galling to him? The peculiarity —I was going to say the absurdity — of this proposition is this—that you not only inflict upon him a mortification which he will feel, but with the same hand you give him the power of sweeping it away, because that very man who pays 5*s.* for his vote will insist that his Member's first Parliamentary act shall be to sweep away this obligation. I am quite willing to join in setting up any securities against democracies that may be thought good; but I confess I think that a fence put round a person in whose hands you place a weapon which will surely knock it down is the most futile fence it is possible to set up. Therefore, I cannot but come to this conclusion, that if you pass this personal payment the first act of the Parliament under which it is elected must of necessity be to abolish it. Thus you will come to simple undiluted household suffrage. I will not discuss on the first reading of the Bill the general arguments of the hon. Member for Birmingham in favour of democracy. I am content to fall back on what seems to be a simple proposition of political morality, that the party which behaved in opposition as ours did last year is not the party to propose household suffrage. I am sure that my right hon. Friends on the Treasury Bench are actuated by the purest and most honourable motives; but if they fail to comprehend the obligations of their position, they will inflict a severe blow on the respect in which public men in this country have hitherto been held. We are told that the Conservative party, as a body, have so far advanced in principles and sentiments that they will accept this Bill. Well, if that be so, I think they will be committing political suicide. When they go to the constituencies and say, "We have supported household suffrage," and there stands on the other side of the hustings one who has all his life been a Radical and has always supported household suffrage, I think the constituencies will say, "We shall prefer the long-tried champion to the new and sudden convert." Be that as it may, I feel certain that if the Conservative party listens so much to party discipline, and listens so little to the dictates of those principles in which they have been accustomed to protest they believed, they will repent—that it will be their ruin politically, and that no preservation of party discipline and no support of individual statesmen will compensate to them for that result. I know what is said by my hon. and learned Friend the Member for Sheffield, "What are you to look to next? What will happen afterwards?" Well, I confess that is a consideration which presses, and has pressed very heavily on my mind. I heard some one to-night say that the right hon. Member for South Lancashire had become Conservative. I am not at all inclined to believe in that conversion. I have no reason to doubt that he will adhere to the principles he has so long and consistently supported. But still, I confess, with that prospect before me, knowing that if this Bill should miscarry, and if a change of Government should occur, the right hon.

Gentleman will probably have the framing of the next Reform Bill, my imagination is not sufficiently fertile to see how we can well have a more dangerous Bill than that proposed to the House. I say so for this reason—I believe this Bill in its end is household suffrage. Although I deprecate the result, I say that, if you are to come to household suffrage, you had better come to it openly and boldly; you had better not reach it by a process of irritating those who have not the franchise, but who will win it from you step by step. This personal payment of rates will be removed, but only after enormous irritation has been caused to those upon whom it presses. Therefore, I cannot but fear that we shall reach the same end as we might if a Radical party was in power, only we shall reach it by a process which will irritate, and aggravated the results when they are attained. If household suffrage should come from the other side, I do not know that it will be worse than this Bill. I earnestly hope that whatever may be the result, the patriotism of hon. Gentlemen on both sides of the House will not suffer our action to degenerate into any mere party victory, and that whatever Minister is in power, the moderate party—the large majority in this House—will be able to exercise sufficient control to procure a measure which shall to a considerable extent satisfy the yearnings of those skilled artizans who are conscious of political opinions and desire to see them represented in this House, without submerging under a flood of numbers the capital, wealth, and intelligence which has hitherto had so large a share in the Government of the country.

THE CHANCELLOR OF THE EXCHEQUER: What strikes me as most singular in this discussion is the extreme inconsistency between the views of the different speakers and even the extreme inconsistency exhibited by individual speakers themselves. The most remarkable and significant of all the addresses we have heard was unquestionably that of the right hon. Gentleman the Member for South Lancashire. It was half alarm, half derision—alarm at the revolutionary proposal, derision at the petty consequences it will produce. He said, "You propose in your Bill to admit 234,000 persons who are now rated and pay their rates; but it won't admit half as many, for you do not make the deductions that are inevitable." I never denied them; I gave Returns showing them; and hon. Gentlemen are quite competent to make them. The Members of the House of Commons are acquainted with the management of property, and know as much about rating as any assembly in the world. I suppose the chairmen of many assessment committees have seats in this House, and with a Return before them, they are as capable of forming an opinion as any statist, and I would as soon take their opinion as that of any other person. The right hon. Gentleman says we are not admitting half as many as 234,000. If his estimate is correct, you must apply it also to the great mass of the compound-householders, and what is the result? The result would be that of the whole 700,000 you will not have more than 300,000 or 350,000 persons. The right hon. Gentleman, in that moderate Bill the moderation of which has been so much vaunted, proposed to admit 220,000 persons. When we are talking about household suffrage, about revolutions, and about all those terrible consequences to which my noble Friend has just adverted, it is just as well that we should keep an eye on the real facts before us. The question now, is not between the proposition we make, taking it at its greatest possible amplitude, and the measure of the right hon. Gentleman last year, which he says would have admitted 200,000, though I think the estimate was higher; but it is between this and a £5 rating measure, which would increase the estimate of the right hon. Gentleman, so that probably you would arrive within some 40,000 or 50,000 of the whole number that by what is called household suffrage you could possibly admit. It is inconsistent that one moment we should hear that the alternative of the proposition we make is, no doubt, the admission of some 300,000 to the constituency, and we are to accept it in order that we should avoid the horrors of household suffrage, which would probably admit a greater number; but would it not admit that greater number on some principle on which we might stand, upon a condition understood by the people of England, which has been practised by their ancestors, which is understood by every working man, and which no working man complains of? "Oh! but those checks." I do not admit they are checks. I say they are constitutional conditions of which a man ought to be proud. These checks, we are told, will be swept away in a moment. Were the checks placed upon the suffrage by the Act of 1832 swept away in a moment? What became of the ratepaying clauses of that Act? Why, you had a period of revolutionary excitement when that Bill was passed. You have had moments of great dissatisfaction and discontent, while there has been one much more fearful organization of labour than is in existence now. You have had great excitement against the ratepaying clauses, and you have had Members returned to Parliament in order to ensure their repeal. But the common sense of the English people never sanctioned that agitation. The people who paid knew very well that it was an English, a rational, and a patriotic condition. They were proud to fulfil it, they felt it was a security that the suffrage should be exercised by men who were trustworthy, and all that agitation against the ratepaying clauses failed, and they have prevailed for thirty or forty years. And what are the ratepaying clauses compared with the conditions we make? The conditions we make are those which every Englishman understands. He is invested with the fulfilment of a duty and the possession of a right; and you misunderstand the character of your countrymen—you are misrepresenting the idiosyncrasy of the English people if you suppose they look upon such conditions as these except as those which are worthy of freemen. Sir, if you cannot found public rights upon public duties, then I say that the liberties of the English people are in danger. But you calumniate your countrymen if you lay down such a principle. I therefore maintain that the principle upon which we propose to establish the borough franchise is an English principle, a constitutional and sound principle, which will recommend itself to the conscience and conviction of the country, and one which, if any, holds out to us the prospect of security and peace.

Sir, I will make no further remarks upon the speech of the right hon. Gentleman, because that is the essence of it. Lord Derby may have committed an indiscretion which the right hon. Gentleman has noticed, in calling his party together and speaking to them with the frankness which is characteristic of his nature. I have heard something in my time of the great fault of eminent statesmen who have failed in public life because there was a want of frankness, and because they did not consult their party. We have all heard something of that kind. I think it has often been told us that the political history of this country would have been altered if some in eminent positions in times of great crisis and emergency had deigned to consult those who had been their companions and colleagues during a long political and Parliamentary life. That reserve is not the temper of Lord Derby. But on this Lord Derby may be congratulated, that his frankness has given the right hon. Gentleman the opportunity of preparing a speech—a speech which was evidently intended for the second reading. And I thought as I listened to it that, perhaps, the real intention was to have prevented the second reading ever being put from the Chair. I think, however, that the candour and good sense of the House of Commons have already repudiated that manœuvre. Whatever may be the fate of these propositions, they will be decided upon after fair discussion [Mr. BRIGHT: Hear, hear!], and after a calm investigation by the representatives of the people of the propositions we make and which, at all events, touch the most important questions in politics. There was another right hon. Gentleman who also favoured us with his views of the conduct and policy of Her Majesty's Ministers. Still charmed with the success of his tactics of last year, he seems to emulate a repetition of those brilliant achievements. Sir, he has not been sparing in imputing to us the most unworthy motives. He has not been sparing in anticipating for this country the most gloomy fortunes. But this I must say, after listening to the ingenious and vivid remarks of the right hon. Gentleman, that on a question on which the people of this country require some information, and which at this moment interests and animates all classes, the right hon. Gentleman shed no ray of light, and the whole result of his arguments and the whole tenour of his reasoning were that under no conceivable circumstances could any improvement of the House of Commons be accomplished. Sir, the hon. Member for Nottingham (Mr Osborne), who addressed the House, I thought, with much candour this evening, seemed to find fault with me because in the Bill I am asking for leave to introduce I made no mention of any provision for preventing corruption and bribery. But if the hon. Gentleman had been in his place on a preceding occasion he might have remembered that there was a general understanding and a general wish on the part of the House that upon this matter we should proceed in a separate measure. I then expressed to the House the principal propositions which we had to make in order to prevent bribery and corruption. And I undertook that I would lose no time, after the introduction of the larger measure, in bringing before the House the consideration of this matter in another Bill. And, Sir, I shall be prepared to fulfil that engagement. My noble Friend the Member for Stamford has, in a manner that must have interested the House, touched upon the conduct of the party of which he is still a most distinguished member, and he has expressed his regret and his anxiety that we should not deviate from the course which it becomes us, in honour and in truth, to maintain. Sir, my noble Friend seems for the moment to suppose that there is an inconsistency in the course we are pursuing, because we are introducing a Bill to amend the laws which regulate the representation of the people of the kingdom in Parliament. [*Opposition Cries of* "No, no!"] But can this be said with any justice of a party that eight years ago attempted to the best of their ability, and at great sacrifice, to grapple with the same question? And what have we ever said, or what done, to justify any such suspicion in the mind of the noble Lord? Let my noble Friend, or any hon. Gentleman who has spoken, point to any conclusion during the debates of last year, to any vote that was given, to any Resolution inconsistent with the course we have taken. ["Oh!"]

VISCOUNT CRANBOURNE: I never imputed any inconsistency to the course taken by the Government. What I said was that if the Government introduced household suffrage pure and simple I then thought they would be guilty of inconsistency.

THE CHANCELLOR OF THE EXCHEQUER: The Government will never introduce household suffrage pure and simple. It is not merely my noble Friend, but another right hon. Gentleman has spoken of our inconsistency in bringing forward a Reform Bill. I maintain there is no inconsistency. This is not the first Reform Bill we have brought forward. Nor is there a single vote that I gave last year, nor is there any single Resolution in which I have joined, at all inconsistent with the course which I and my Colleagues are pursuing at the present moment. I state that without reserve, and it is not to be answered by a mere jeer. I state that to the country and to Parliament, and I will maintain it as truth in every place and in all circumstances. I think that we were perfectly free to deal with this question, if the circumstances of the country required that we should advise Her Majesty upon it. And the circumstances of the country did require it. I hope the House will give to our proposition a dispassionate consideration. I hope we shall show in the discussion which it may produce, that there is in this House a sincere desire to bring to a satisfactory settlement a question that has too long existed. If you throw out this Bill on the second reading you may affect the position of Ministers, but you will still more affect the position of this House. You will on this question place it with respect to the country in a position which no friend to our institutions can desire. This question has existed too long and lingered too long. Do not decide rashly against a measure which you have never even seen. Let it not be said that to-night, excited by rhetoric which I may at least describe as prejudiced, you are deciding on a question on which the people of this country are deeply interested without even a complete cognizance of the propositions that we are bringing forward. You are deciding on hearsay. [*Cries of* "Oh!"] You are deciding upon a narrative of the proceedings which took place under a roof where you were not present, and where you quoted expressions on a most important subject which were never used. I think it would be wiser at least to take this Bill and read it before you decide upon its merits. I believe that it at least has this great object—it seeks to bring about the settlement of a question deeply interesting to the people, in a manner conservative in the highest sense of the institutions of the country.

Motion *agreed to.*

Bill to amend the Representation of the People in England and Wales, *ordered* to be brought in by Mr. CHANCELLOR of the EXCHEQUER, Mr. Secretary WALPOLE, and Lord STANLEY.

Bill *presented*, and read the first time. [Bill 79.]

PETIT JURIES (IRELAND) BILL.

(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland.*)

[BILL 46.] SECOND READING.

Order for Second Reading read.

THE SOLICITOR GENERAL FOR IRELAND (Mr. CHATTERTON), in moving the second reading of this Bill, briefly explained its object to be to provide a remedy for the want of a sufficient supply of jurors which was experienced in the administration of justice in Ireland. The Bill, with a few alterations, was the same as that which had been introduced last Session.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Solicitor General for Ireland.*)

MR. COGAN complained that the mode in which jury panels were constitued in Ireland was highly objectionable. They could be packed even by so humble an individual as the sub-sheriff of a county, and that in cases in which sectarian or party feeling come into play a fair verdict could not as a consequence be obtained. There had been recently in Monaghan a trial for homicide, in which it was, notwithstanding that very little doubt as to the guilt of the accused persons existed, found impossible to secure a conviction. Among the first 100 names on the panel there were those of only three Roman Catholics, though the majority of the population in the county belonged to that persuasion.

MR. O'REILLY thought that it was impossible to exaggerate the importance of convincing the people of Ireland that justice was impartially administered in that country. He also thought that the privilege which the Crown enjoyed of challenging jurors was liable to abuse, and that some alteration should be made in the present system.

MR. LAWSON said, he did not rise to oppose the Bill, for it was substantially the same as he had himself introduced last year. His experience was that in some of the counties of Ireland that class of leaseholders had almost entirely disappeared, and it was difficult to get a sufficient number of jurors for the work required of them. Therefore, what the Government proposed to do was absolutely necessary. But he trusted, as the administration of justice in Ireland should not only be, as he believed it was, pure, but above suspicion, that the subject adverted to by the hon. Member for Kildare and the hon. Member for Longford would receive consideration. He thought that the proposal of his hon. Friend ought to be adopted.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday,* 1st April.

SALE AND PURCHASE OF SHARES BILL.

(*Mr. Leeman, Mr. Waldegrave-Leslie, Mr. Goldney.*)

[BILL 38.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Leeman.*)

MR. GRENFELL, in moving that the Bill be referred to a Select Committee, said, he must preface his observations by apologizing to the hon. Member for York for again asking the House to discuss the matter after an apparent decision had been arrived at. He did so not as the representative of any body or community, and much less of his colleagues in the Bank of England, but he made that proposal because he believed that the failure of the joint-stock banks had been erroneously attributed to the proceedings of certain speculators on the Stock Exchange, and that the Legislature ought to be exceedingly careful before interfering in transactions that were common not only to the Stock Exchange, but to many other places where men engaged in different branches of commerce met under special regulations of their own together. He believed that the causes of the disastrous failures of joint-stock banks last year lay deeper than the hon. Member for York seemed to suppose. The real cause of these unfortunate failures was, that the managers of those institutions had failed to regulate their proceedings by those rules of prudence and caution which had been effectual in the past few years in securing for the Bank of England the confidence of the Government and of the country; and it was because of this belief, and because he had no faith in the assertion that the joint-stock banks failed last year from the operations of Stock Exchange speculations, that he moved that this Bill be referred to a Select Committee. It was well known to the House that certain economists were in favour of a more unrestricted currency than was allowed by the Act of 1844. Whatever might be said on that score, there could be no doubt that every panic created a most unlimited paper currency in the shape of pamphlets and letters to the newspapers. And in none of these pamphlets—many of which were replete with wisdom and sound commercial advice—could be found the name of any joint-stock bank which had stopped from the cause assigned by the hon. Member for York; and when he (Mr. Grenfell) asked for information as to what bank had so stopped he was always answered, "Oh, the Agra and Masterman Bank." Now, what were the facts with regard to Agra and Masterman's Bank. Far be it from him to say anything to add one atom to the pain of those who had lost their incomes or their capital in these banks. Still less did he wish to offer impertinent criticisms of his own on the management of that or other similar establishments; but when he was told that Agra and Masterman's Bank had stopped, solely through the action of speculators, he was justified in asking for something like proof of the facts. He had sought in vain among all the pamphlets and papers that had been written on the subject, and he could not find anything like a statement in figures of the position of the Agra and Masterman Bank which would justify the directors in attributing their misfortunes to those causes. But he did find statements directly in contradiction of that allegation. He had before him an extract from a grave review which appeared in *The Economist* of the week before, on the whole commercial events of 1866, in which it was stated that the causes of the principal bank failures was unsound financing, and it especially mentioned the cases of the Bank of London, and Agra and Masterman's. If that were so, and all that legislation accomplished after the panic was the punishment of a small body of jobbers, the result would be very insignificant indeed. In 1847, the late Sir Robert Peel said, in a speech on the commercial distress of that year, it was the fashion to put down commercial failures to the Bank Act of 1844, and cited the balance-sheets of some of the houses which failed, the partners of which had the assurance to say, "We could have got money if it had not been for this confounded Act of 1844." So it was in the case of the panic of 1866. Managers and shareholders of banks which had stopped payment, in consequence of imprudent financing, came down to this House and said, "Oh, we have stopped in consequence of the proceedings of a certain number of speculators for a fall on the Stock Exchange. But the House must recollect that besides those who speculated for the fall were those who speculated for the rise, and in his humble opinion the latter did the greater mischief of the two. They had already appointed a Select Committee on Companies with Limited Liability, and if it were wished to interfere in the regulations of the Stock Exchange, he thought that the reference of this Bill to a similar Committee would complete the investigation. He moved that the Bill be referred to a Select Committee.

Mr. NEATE, in seconding the Motion, disclaimed any intention of casting any reflection upon the honour of the great body of the Stock Exchange in a previous debate.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Grenfell,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. BARNETT said, that if this Bill really was likely to accomplish what it professed—the prevention of an undue depreciation in bank shares by fictitious sales—he should cordially support the measure; but he did not think it would be effectual for the purpose. Notwithstanding all its machinery, there was nothing to prevent collusion being resorted to to effect the objects which the Bill sought to put down. If the Bill could be made effectual, he admitted that it would be a boon to the public; but, believing that it would be totally inoperative, he thought it was only a waste of time to discuss it.

Mr. LEEMAN said, it was somewhat late in the day to be discussing the principle of this Bill—if there had been any real intention of opposing its progress some indication of that purpose should have been made known earlier. The observations of the hon. Gentleman who had moved the Amendment would have been made more appropriately on the second reading, when, however, the hon. Gentleman was not present. The arguments in favour of the Bill did not proceed merely upon what had occurred during the monetary panic of 1866, but its object was to prevent the recurrence of acts which were well known, and which might otherwise be repeated. Nor was this Bill merely introduced with reference to London, which was not the only place where a Stock Exchange existed; for many of the Stock Exchanges in the provinces had expressed their thanks to him for introducing the measure; indeed, since the Bill had been read a second time, a great many petitions had been presented to the House in its favour and not one against it. He hoped the House would reject the Motion for referring the Bill to a Select Committee.

MR. CRAWFORD said, that his reason for abandoning his intention of moving that the Bill be referred to a Select Committee was that the House had affirmed the principle of the Bill after full discussion, and therefore he did not like to be a party to defeating it by a side-wind. The Bill contained only one clause, and he thought the House was quite competent to consider it with sufficient effect in Committee of the Whole House. He did not think it would be desirable to bring the question of the Stock Exchange before that House, any more than it would be proper to introduce there the business of the Corn Exchange, or any other similar body; but if such a mode of proceeding were taken it ought to be by a distinct Motion, and not by a mere side-wind. So far as the Bank of England was concerned, it was indifferent to the Bill. As to the petitions that had been presented, he knew there had been a great number of them, but he thought they were not entitled to much weight, the mass of them being lithographs, and emanating from some central authority; and everyone knew the little reflection with which signatures were attached to petitions got up in such a manner.

MR. STEPHEN CAVE said, that on the second reading he thought it his duty to state the objections he felt to the measure. He approved its object, and certainly felt no sympathy for the speculators against whom it was directed; on the contrary, he would like to

"Put in every honest hand a whip
To lash the rascals naked through the world."

He questioned the means proposed for effecting the object, and his doubts had been confirmed by an Amendment on the paper to extend the operation of the Bill to railway shares; and if so, why not to all other shares and all other kinds of property? The House, however, decided in a contrary sense, and he bowed to its decision. The matter being one of principle rather than of detail, he saw no reason for referring the Bill to a Select Committee, nor would he now have troubled the House had it not been for a matter partly public and partly personal. The hon. Member for York (Mr. Leeman) was reported to have said the other day—

> "The Vice President of the Board of Trade was connected with one of the largest institutions in the City of London, of which in that debate he must be taken to speak as the representative."

He did not catch the hon. Member's words at the time, or he would have noticed them then. He begged leave to state that he had no interest directly or indirectly affected by the fate of the hon. Member's Bill; and if the hon. Member alluded to his former connection with the Bank of England, he gave up that and every other directorship when he accepted the office he had now the honour to hold. He apologized for saying so much about himself; but he thought it inconvenient that public men, even in the humble, responsible position he held, should be supposed liable to be actuated by personal or interested motives on such questions.

MR. BASS read an extract from *The Economist* newspaper to the effect that it would be difficult to propose a restriction more foolish than that contained in the Bill.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Contracts for Sale, &c., of Shares to be void unless the Numbers by which such Shares are distinguished are set forth in the Contract.)

MR. ALDERMAN LUSK proposed in line 15, after the word "banking," to insert "railway or other," contending that if the principle of the measure was good in the case of banks, it should be good in the case of railway and other companies.

Amendment *negatived.*

MR. LEEMAN moved, in line 15, to leave out "England and Wales" and insert "the United Kingdom of Great Britain and Ireland."

MR. CRAUFURD protested against extending so absurd a Bill to Scotland.

MR. LEEMAN said, it was at the request of an Irish and Scotch Member that he proposed the Amendment.

MR. AYRTON inquired whether the hon. Gentleman intended that the Bill should apply to any foreign bank carrying on business in this country, as well as to banks established under the Joint Stock Companies Act?

MR. LEEMAN said, he did not.

MR. AYRTON said, that as the measure was penal in its character, its language ought to be more precise, and he would appeal to the legal Gentlemen opposite whether the words of the measure as they stood would not embrace the institutions to which he had referred.

Amendment *agreed to.*

MR. ALDERMAN LUSK moved to omit, in line 18, the words that the contract or token "shall be in writing and."

Amendment proposed, in page 1, line 18, after the word "token," to leave out the words "shall be in writing and."—(*Mr. Lusk.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. ALBERT GRANT, to prove the sincerity of his desire to facilitate the passing of the measure, would recommend the hon. Member who had charge of the Bill himself to move that the Chairman report Progress, and he gave that advice in consequence, not only of the lateness of the hour (a quarter to One o'clock), but also from the construction of the measure itself.

THE SOLICITOR GENERAL said, it would be better to alter the words in the clause so as to cause the shares to be designated by number in writing, leaving it to the parties to decide whether the contract should be in writing or oral, as might be most convenient.

MR. BASS said, the difficulties of passing this measure appeared to be so great that he thought it would be better to report Progress, which would enable the hon. Gentleman (Mr. Leeman) to consider the Amendment. He moved that the Chairman report Progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Bass.*)

The Committee *divided*:—Ayes 35; Noes 75: Majority 40.

MR. ALDERMAN LUSK then moved that the Chairman leave the Chair.

Motion made, and Question, "That the Chairman do now leave the Chair,"—(*Mr. Lusk,*)—put, and *negatived.*

MR. LEEMAN said, he would adopt the suggestion of the Solicitor General, and expressed a hope that he would be allowed to proceed with the Bill.

MR. MOFFATT said, they ought not to be called upon in this Bill to enact something like the Statute of Frauds, and he moved that the Chairman report Progress. The Bill required further consideration.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Moffatt.*)

The Committee *divided*:—Ayes 23; Noes 71: Majority 48.

MR. LEEMAN felt it was impossible to withstand the determination of the minority, and therefore himself moved that the Chairman report Progress.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, March 19, 1867.

MINUTES.]—PUBLIC BILLS—*First Reading*—Increase of Episcopate * (51).
Second Reading—Metropolitan Poor (45).
Committee—Duty on Dogs * (42).
Report—Traffic Regulation Metropolis (46 & 52); Duty on Dogs * (42).
Withdrawn—Railway Traffic Protection (43).

METROPOLITAN POOR BILL—(No. 45.)

(*The Earl of Devon.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF DEVON, in *moving* the second reading of this Bill, said, that the objects of the measure were three-fold—first, to provide for the sick poor, both outdoor and indoor, within the metropolitan area, for the insane and other classes of the inmates of workhouses, better accommodation than they at present enjoyed;

secondly, to assimilate the powers and duties of guardians in certain parishes under local Acts to those of guardians acting under the general law; and thirdly, to provide for the equalization of certain charges over the whole metropolis; and for other purposes relating to the relief of the poor within the metropolis. The evils which the Bill was intended to remedy might be classed under two heads—first, the inadequate, inefficient, and ill-managed accommodation for the sick in the metropolitan workhouses; and secondly, the want in many of those workhouses of a sufficient and well-trained staff of nurses. That the accommodation for the sick in workhouses should be exceedingly bad was hardly to be wondered at when they recollected that at the first introduction of the Poor Law Amendment Act it was hardly at all contemplated that the sick and infirm should be received within the walls of the workhouses, which were mainly intended as places for able-bodied paupers. But as years passed on the law was so administered that the workhouses became, to a great extent, hospitals for the sick and infirm. A paper which he held in his hand showed that in 1865 no less than 25 per cent of the inmates of all the metropolitan workhouses were sick and infirm, and that this was considerably above the average throughout the country; and when they considered the great number of cases of this kind which were continually received into the metropolitan workhouses, it was easy to understand how the amount of accommodation was inadequate. From the Return with which the Poor Law Board had been supplied, it appeared that whereas indoor relief in England and Wales amounted to only 14 per cent upon all cases, in the metropolis it rose as high as 27 per cent. He was happy to be able to acknowledge that in many cases within the metropolis well-considered, judicious, and philanthropic provision had been made by Boards of Guardians for the accommodation of the sick and infirm, and had thus met to some degree the want of sufficient hospital accommodation. But that was not the case throughout. There were many cases in which it would be impossible to provide proper accommodation for want of space, and he feared he must say there were a few in which when motives had been scrutinized the guardians did not show an inclination to provide a remedy for wants which in other districts had been more liberally supplied. Another cause which prevented the improvement of the accommodation for the sick was the limitation which applied to the Poor Law Board, as to the amount of money which they could compel the guardians to expend. It was well known to their Lordships that until last year the Poor Law Board could not compel a Board of Guardians in any parish to carry out any alterations, the cost of which would be more than £50. It was thus obviously impossible for the Poor Law Board to provide that any great alterations should take place. Another consideration which pressed upon the Poor Law Board was this. Until a late period the Poor Law Board were advised by competent medical authorities that a space of 500 cubic feet was sufficient for each sick person. Doubts, however, had been thrown upon the correctness of that belief, and in order to solve them, a Committee was appointed to inquire into the matter. That Committee, at the head of which was Sir Thomas Watson, the distinguished President of the College of Physicians, was composed of physicians and surgeons and other gentlemen whose studies and duties had familiarized them with the subject. The Committee reported that not less than 850 cubic feet on an average ought to be allowed to each sick inmate, and in certain offensive cases not less than 1,200; but that in chronic infirm cases, in wards occupied by day as well as by night, 500 cubic feet would be enough; and 300 cubic feet for healthy classes of children. It had been determined, therefore, by the Poor Law Board that 850 cubic feet was the minimum which the guardians would be authorized to provide for the sick. But in addition to these general grounds for this measure, there were some special and individual cases which had strongly impressed the Poor Law Board with the necessity of amending the present system. He referred to the cases of Timothy Daley, who died in the Holborn Workhouse on the 23rd of December, 1864, and that of Richard Gibson, who died in the workhouse of St. Giles and St. George. In consequence of the complaints which had been made with respect to these cases, inquiries were held by Poor Law Inspectors, and the result proved not only the allegations of personal neglect in these particular cases, but that also the sick wards in these hospitals were insufficient and ill-arranged; and inquiries that subsequently took place into the management of the Paddington Workhouse showed in that case also that the staff of nurses was insufficient, and the provision for the sick and the medical arrangements generally unsatisfactory. In speaking of the investigations carried on by paid officers of the Poor Law Board, he would not be doing his duty if he passed over without acknowledgment the services rendered by professional and scientific gentlemen connected with *The Lancet*, who, at the cost of much valuable time and money, visited the workhouses of the metropolis, and supplied the Poor Law Board from time to time with most material facts in reference to their condition. The result of the information thus collected was the appointment of Mr. Farnall and Dr. Smith to make a special investigation into the state of the wards in the workhouses, and their Report, though differing in other respects, agreed in this—that the wards were overcrowded, and that the general arrangements for the sick were very unsatisfactory. Shortly after his right hon. Friend (Mr. Gathorne Hardy) came into office, two other Inspectors were appointed to make inquiry, not merely into the state of the sick wards, but into the general accommodation in the metropolitan workhouses. These gentlemen were instructed to take as the basis of their judgment the opinion given with respect to the amount of cubic feet. Having made a careful inquiry, the Inspectors came to this conclusion — that in twenty-four unions and parishes the existing workhouses were such that by partial re-construction they might be made adequate to the necessities of the case; but with respect to the remaining fifteen, the greater number of them were not capable of being made suitable to the purposes for which they were required. Sufficient proof had therefore been brought forward to show that the Poor Law Board had ample grounds for adopting some comprehensive measures for the improvement of the workhouse infirmaries. With regard to the provision of an efficient and proper nursing staff, the evidence was not less strong. The subject had often engaged the attention of the Poor Law Board, and had been pressed by their Inspectors on the Poor Law Guardians, to whom a circular had been issued and re-issued. It would be improper on such an occasion to omit reference to the improved feeling on the subject which had resulted from the admiration the country must feel for the exertions of that excellent and gifted woman, Miss Nightingale, whose name would always be received with that respect which was due to her Christian activity and self-devotion. Contemporaneously with her labours, the ill-arrangement of the sick wards of the workhouses, and the want of a proper nursing staff, had pressed themselves on the Poor Law Board as matters requiring attention; and the available remedies seemed to be additional buildings, increase of staff, and greater means of classification. The first consideration that presented itself to the Poor Law Board, on reviewing the question, was that there were no fewer than thirty-nine different areas of taxation within the metropolis, fifteen of these being unions under Boards of Guardians, and fourteen parishes under the general law; while no less than ten were governed by guardians elected in different ways by vestrymen. The obvious conclusion that pressed itself on the Board was that it was absolutely necessary to create new and larger districts in order to carry out the remedies that were proposed. Having thus adverted to the evils which it was sought to remedy, and the reasons of the Poor Law Board for introducing the measure, he would proceed to call attention to some of the provisions of the Bill. Three Committees which had inquired into the subject had stated in their Reports that the extension of the power of the Poor Law Board over local guardians was necessary. The Bill therefore gave power to the Poor Law Board to provide asylums for the reception and relief of the sick, insane, or infirm poor; to combine unions or parishes, or unions and parishes into districts, to constitute bodies of managers partly elected and partly nominated, with powers to erect new buildings, purchase lands, and borrow money. It was further provided that the appointment and duties of the officers were to be determined by the managers; but their salaries were to be determined by the Board. Auditors were to be appointed, and might be removed at the pleasure of the Board. In the provision for the application of the asylums, the words were very general, and included fever, small pox, and lunatics. There was also a provision for the establishment of dispensaries to afford outdoor medical relief, with a committee of management and the necessary officers. The medicines were to be provided by the Board of Guardians, in order to secure that they should be of the best description. The next clause to which he would call attention was that very important one which provided for the establishment of a general metropolitan fund, to which all unions and parishes were to contribute, and out of which would be made the disbursements required by the purposes of this Act. The question of the equalization of all the metropolitan rates had for years been under consideration both in and out of the House. The equalization of metropolitan rates involved grave and serious considerations; but, stopping short of that, there remained a middle course, which he thought the Poor Law Board had properly decided to adopt—namely, to take certain charges, and make them payable equally over the whole of the metropolis. The charges proposed to be thrown on this common fund were—first, the maintenance of lunatics in the asylums, and licensed houses for the insane poor; secondly, the maintenance of the patients in the asylums for patients suffering from fever or small pox; thirdly, for the medicine and attendance supplied for the relief of the poor; fourthly, salaries of all officers employed in the relief of the poor and the management of schools, asylums, and dispensaries; fifthly, for compensation in cases arising under this Act; sixthly, for payment of fees for registration of births and deaths; seventhly, the payment of fees for vaccination; eighthly, the maintenance of pauper children in district or licensed schools; and lastly, for relief of destitute persons under peculiar circumstances. He trusted that when the measure passed into law the effect would be to extend to pauper children an education which would fit them for the duties of their after life. He had thus endeavoured to explain what appeared to him to be the material provisions of this Bill, which came up to their Lordships with the almost unanimous approval of the other House. The measure had been generally approved by his right hon. Friend the late President of the Poor Law Board, and he believed it had commended itself to most of those who were aware of the evils which it sought to remove. He was anxious to say that the Bill was brought forward in no spirit of distrust or jealousy of the local authorities. It was intended to extend the authority of the Poor Law Board no further than was absolutely necessary for the purpose of carrying out the provisions of the Bill. That harmonious co-operation between the central authority and the local Boards of Guardians, which he was happy to say had hitherto prevailed, would, he trusted, continue to prevail, and would show itself in the ready assistance which the Poor Law Board hoped to receive from the guardians in carrying out the provisions of this measure. In the full confidence that the Bill would be beneficial, alike to the poor and to the ratepayers, he now moved that it be read a second time.

Moved, "That the Bill be now read 2ª."—(*The Earl of Devon.*)

THE EARL OF KIMBERLEY said, that as he had had charge in that House of the Bill relating to the houseless poor in the metropolis, and as he had always taken a great interest in the subject of the Poor Laws, he might perhaps be allowed to say a few words in reference to this measure. Speaking of it generally, he must say that he viewed it with unqualified satisfaction. He believed it would lead to the introduction of a much better management of the metropolitan poor than had heretofore existed; he thought, also, that the Bill reflected great credit on the right hon. Gentleman at the head of the Poor Law Department. His noble Friend (the Earl of Devon), in moving the second reading of the Bill, had fully explained its provisions; but he was astonished to hear the remark that the Bill was not framed in consequence of any distrust of the local Boards. It seemed to him, on the contrary, that this Bill was based entirely and properly so based, on that distrust of the Boards of Guardians which experience had shown to be too well founded. The local guardians of the metropolis having disregarded the rules and orders of the Poor Law Board, that Board had very properly brought in a measure to remove the management of the metropolitan poor, to a certain extent, from the local authorities. He therefore thought the Bill was prepared in distrust of the local guardians who had been found wanting. For himself, he regretted that the Bill did not go somewhat further in this direction—although he did not say that it might not be prudent not to make a greater change on the present occasion. He would suggest, however, whether it might not be well worthy of consideration whether they ought not to remove altogether from the guardians the management of the sick poor, and to establish for the sick poor separate infirmaries or hospitals where they might be placed under the management of persons specially qualified for the purpose. Notwithstanding what had been said by his noble Friend, a striking proof of the existence of distrust of the local authorities was to be found in the very valuable provisions of the Bill under which the Poor Law Board was enabled to appoint a certain number of *ex officio* guardians. That provision would enable the Poor Law Board to appoint persons to control the management of the guardians in cases where that management was not satisfactory. He feared, however, it might turn out that notwithstanding the provision for appointing *ex officio* guardians the poor might not be sufficiently cared for. Another provision of the Bill was one that he regarded as of great importance—that by which the expenses of certain classes of the poor are thrown on the whole metropolis instead of the separate parishes. This extended further the principle introduced into the law by the late President of the Poor Law Board in the Houseless Poor Act. It no doubt infringed the old maxim of each parish meeting its own expenditure. But looking at the peculiar position of the metropolis, at the great wealth accumulated in some districts of it, and at the enormous aggregation of poverty in others, those expenses which were not likely to lead to any abuse ought to be borne by the common fund of the whole metropolis. At the same time, he was glad that the Bill did not carry this principle further, for it would be dangerous to enact that the whole expenses of the poor of this great metropolis should be borne out of a common fund. If that system were adopted the management must necessarily become lax, while the expenses would be greatly augmented. He saw in this Bill another feature which afforded him great pleasure, and that was that Parliament had no longer that extreme jealousy of the Poor Law Board which it had so often evinced. At one time—more than once, he might say—the Poor Law Board had been looked on with such jealousy that it was difficult for them to carry any Bill through Parliament prolonging their existence. He was glad to see that by this Bill the powers of the Board were to be increased. He thought such an increase absolutely necessary for the proper management of the poor. The Poor Law Board which had always discharged its duties with diligence and care, whatever Ministry had been in office, should have the power of enforcing compliance with its orders. Unfortunately, at present they conld only do so by mandamus in the Court of Queen's Bench, which was not a very easy or agreeable proceeding. Much as he valued the principle of local management, he thought Parliament had done wisely in saying that a central body should have the necessary power to compel the local authorities to carry out its rules and regulations. He trusted that the powers conferred by this measure would be sufficiently extensive, and in conclusion stated that he cordially supported the second reading of the Bill.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

TRAFFIC REGULATION (METROPOLIS) BILL—(No. 46.)

(The Earl of Belmore.)

REPORT.

Amendments *reported* (according to Order.)

THE EARL OF DENBIGH remarked that the effect of Clause 9 (Prohibition of Carriage of Advertisements) would be to throw out of employment about 700 persons who were now earning an honest livelihood by carrying advertisement boards about the street. He admitted that these board men—or "sandwiches" as they had been called—might, in some instances, be a great nuisance, and therefore they ought to be placed under proper control; at the same time, he thought it would be unjust to deprive these men of their means of subsistence. He therefore moved an Amendment to the 9th clause to the effect that no picture, print, board, placard, or notice should be carried or distributed in the streets except in such form and manner as might be approved by the Commissioner of Police.

Amendment *moved,* after ("Notice") to insert ("except in such Form and Manner as may be approved of by the Commissioner of Police.")—*(The Earl of Denbigh.)*

THE EARL OF BELMORE said, he was willing to accept the Amendment suggested by the noble Earl; but if they were inserted, he should move the insertion of other words also, which would prevent the distribution in the streets of papers or posters relating to medical subjects.

LORD STANLEY OF ALDERLEY thought the clause was better as it stood.

On Question? their Lordships *divided:*—Contents 24; Not-Contents 16: Majority 8.

Amendment *agreed to.*

CONTENTS.

Chelmsford, L. (*L. Chancellor.*)

Buckingham and Chandos, D.

Exeter, M.

Amherst, E.
Belmore, E.
Bradford, E.
Cadogan, E.
Chesterfield, E.
Denbigh, E. [*Teller.*]
Gainsborough, E.
Harrowby, E. [*Teller.*]
Huntingdon, E.
Romney, E.
Selkirk, E.
Shrewsbury, E.
Tankerville, E.
Wilton, E.

Hardinge, V.
Hawarden, V.

Cairns, L.
Colville of Culross, L.
Lyttelton, L.
Skelmersdale, L.
Wharncliffe, L.

NOT-CONTENTS.

Ailesbury, M.
Bath, M.

Airlie, E.
De Grey, E.
Granville, E.
Grey, E.
Hardwicke, E.
Kimberley, E.
Morley, E.
Halifax, V.
Sydney, V.

Crewe, L.
De Tabley, L.
Foley, L.
Redesdale, L. [*Teller.*]
Stanley of Alderley, L. [*Teller.*]

EARL GRANVILLE observed, that their Lordships were placed in a rather curious position. He heard other noble Lords had come down prepared to support the measure; but in the division just taken the Government had divided against a clause in their own Bill.

THE EARL OF BELMORE *moved* an Amendment prohibiting the exhibition of prints, &c., or the distribution of pamphlets and posters relating to medical subjects in the streets.

EARL DE GREY AND RIPON suggested that it should be postponed till the third reading.

THE EARL OF BELMORE agreed to postpone the Amendment.

Further Amendments made; Bill to be read 3^a on *Monday* next; and to be *printed* as amended. (No. 52.)

RAILWAY TRAFFIC PROTECTION BILL.

(No. 43.)—(*The Lord Redesdale.*)

COMMITTEE.

Order of the Day for the House to be put into a Committee, read.

Moved, "That the House do resolve itself into a Committee on the said Bill."—(*The Lord Redesdale.*)

LORD CAIRNS: My Lords, when this Bill was before the House on a former occasion, I understood from the noble Lord who has charge of the measure (Lord Redesdale) that he would not be unwilling to content himself with the second reading at that time, postponing its further progress to a period when, as we were informed was probable, a measure of a more complete and comprehensive description would be brought under our notice. As, however, the noble Lord has desired that we now should proceed with the Bill, I trust your Lordships will allow me to do what otherwise would not be necessary, to express the very great alarm which I feel at legislation which, as far as I remember, is entirely unprecedented. If this Bill proposed to deal with nothing more than debts contracted by railway companies at a future time, and did nothing more than prevent creditors from issuing executions upon railway property in respect of claims of that description, I should have nothing more to say than this—that it appeared to me a grave and difficult question whether we should allow great mercantile companies to contract debts without incurring the usual responsibility of being subjected, as regards their property, to executions at law. But that is not the nature of the Bill now before your Lordships, by any means. This Bill deals with debts which are already contracted. It takes up the case of creditors who have lent their money or supplied goods to railway companies, and who now are entitled to recover judgment and issue execution against the railway companies; and it absolutely prevents them from issuing execution upon any judgment which they may obtain. That is the operation of the Bill, which at present is limited to the 1st August next. I have always understood that in your Lordships' House one of the most sacred principles was that legislation, as affecting contracts already entered into, should not be retrospective. But this is not the only evil. On looking closely into this measure, I find that, not only does it affect the rights of creditors which already exist, but it raises an invidious distinction between one class of creditors and another. It takes away from one class of creditors the rights which they possess, and to another it preserves those rights intact. If your Lordships will refer to the Bill that you are asked to assent to, you will find that from the operation of the measure are entirely saved those executions that may be levied for the recovery of local rates. And not only so, but from the wording of this Bill it would have no operation upon Crown debts: and we all know that very large sums are due from railway companies to the Crown in respect of taxation and other charges on companies. It comes to this, therefore—that for local rates and Crown debts you leave the local and Imperial authorities perfectly free to issue executions against railway companies; while you deprive the creditors who supplied, it may be, the very materials with which the line was made or with which it carries on its business of all means of enforcing their claims. It may be said that the enforcement of their rights is only postponed till August, and that after August the 1st they will be able to enforce their judgments. But when August arrives it is quite possible that the unfortunate creditors may be met with this answer—"No doubt, sufficient property was in existence at the time this Bill passed, but since then that property has been swept away in discharge of local rates and Imperial taxation." What, then, is the reason given why this Bill should be assented to? It is said that it would be of great public utility to save railway companies from executions being levied upon the rolling stock, lest the public traffic should be inconvenienced. That is to say, for a great public object you sacrifice the rights of the private creditor. You desire that a public object should be attained; and, in order to attain, you sacrifice not the rights of the public, who are to be benefited, but the rights of the private creditor, who receives no benefit. I ask your Lordships to observe some of the effects which this Bill will have in depriving creditors of the means of recovering their debts. I take, for example, the very ordinary case of a railway leasing its line to another company on certain terms of yearly or quarterly payments. According to this measure, if the payments in respect of the leased line should be in arrear, the only means of recovering these will be absolutely withdrawn, though the lessees continue to receive the profits of the line. Again, what are your Lordships asked to do with regard to that large and important class of actions arising out of accidents upon railways, either in respect of carelessness in the carriage of goods, or of accidents to limb, possibly to life? We are in the midst of the various assizes of the country, and in the annals of the different circuits we read every morning in the newspapers of considerable sums recovered against railway companies. The persons who recover those damages are sometimes the parties themselves who have been injured, and are frequently the families of those who have suffered, and who are themselves reduced, it may be, to very great distress and indigence consequent on the sudden withdrawal of their means of support. They have recovered judgment, they are ready to issue execution, they have no means of obtaining the money awarded except through the medium of an execution: and your Lordships are asked to prevent this execution from issuing, at all events till the month of August next, when there may not be monies enough remaining. I will go further. It may have been the fortune or misfortune of some of your Lordships to have had some of your land taken by railway companies. There is an erroneous impression abroad that a railway cannot take land without first paying for it; but your Lordships know that if a railway company desires to take any land it has only to obtain the certificate of any two surveyors as to its value, pay the sum named into court, and then take possession. When the real price of the land is ascertained, however, it generally amounts to twice or thrice the sum paid into court on the certificate of the surveyors, and for that additional price the landowner has to bring an action or obtain a decree in equity to obtain the purchase money. In the meantime the land has been taken, the railway made and earning money upon it; and yet when the landowner issues execution, your Lordships are asked to say that he shall not have his execution in satisfaction of his claim. There is, however, a still stronger case. There is too much reason to suppose that a great portion of the rolling stock at present possessed by the railways of the country is not paid for, but has been supplied on the credit of the company. I hope and believe that in most cases creditors are safe in giving credit; but your Lordships are asked to protect railway companies in the enjoyment of that stock and their earnings by its means, but to cut off from the unpaid creditor, whose rolling stock it is, and for which he has not been paid, the means by which he could recover his money. Who, I ask, is to be benefited by this proposed legislation? Are the shareholders? There may be a railway company so utterly insolvent that it may be a temporary accommodation to it to have its rolling stock protected from execution; but the effect on a solvent company will be to go far to destroy its credit. My Lords, every railway company is obliged to have very large supplies of coal and oil, it has to pay for labour, and supply and replace rolling stock. At present solvent railway companies have no difficulty in obtaining all they require on credit, because those persons who supply these goods know perfectly well that when the time comes for payment and their claims are not met that they can at once levy execution and compel payment; but if that right is taken away they will refuse to give credit on the ground that the debenture-holders will sweep away the earnings and they will not consent to make supplies except on the terms of being paid in ready money. This Bill, if passed, will have a most serious effect on all the solvent railway companies in the country. The Bill by the preamble no doubt points to the benefit of debenture-holders; but if passed it will do little good even to them, for it takes away from them the right, whatever it may be, that at present exists, of issuing execution for the principal and interest overdue, and instead of their having a valuable security it will be considerably deteriorated. It is said that the public will be benefited; but I venture to think that the public are never benefited by anything which is not an adherence to contract and to the rights acquired by the members of the public; and I cannot imagine how the public can be benefited if you materially alter the law of contracts. These are matters deserving of great consideration before we make further progress with the Bill. I have another objection against the Bill. This Bill appears to me to deal with nothing more than the merest fragment of one of the greatest and most important questions your Lordships can be called upon to consider. We have many millions invested in railway shares, and in debentures, and there is also a large floating unsecured railway debt. It is manifest to your Lordships from the progress of events that sooner or later—and I venture to think it cannot be done too soon—it will be necessary to consider not merely the interests of one particular class, but the whole subject. The legislation with regard to railways has gone on for some time upon the old and antiquated idea that a railway is a public highway; and that all you had to do was to set the highway going and then everybody would be able to pass over it and the railway company would have nothing to do but to guard the highway. But this idea has vanished for some years, and we have now got the great carrying trade of the country monopolised by and centred in the railway companies. They have become in the progress of years great commercial undertakings, and we have to consider whether we are prepared to sanction the continuance of these great commercial undertakings on a footing different from all other commercial undertakings of the country. What would be said if it were proposed with regard to any other trading undertaking that it should be carried on with impunity against execution for debts? That would be impossible; and yet your Lordships cannot fail to observe that virtually this is the principle which is introduced into this Bill. I entreat your Lordships—I entreat the noble Lord who has introduced this Bill, whose great wisdom and experience on questions of this kind no one more readily recognises than myself, to pause in the progress of this measure until we have before us that which we are likely to have before long—namely, a comprehensive measure which can be considered with care and attention as a whole, and which I trust may, in its reception by the Legislature, have some beneficial effect in settling this large and most difficult question.

LORD REDESDALE said, he felt he had a most difficult task to perform in answering the searching argument of the noble and learned Lord who was so experienced a pleader, and knew so well how to express what he felt in the most complete and comprehensive manner. But, in the first place, he submitted that the chief object of the Bill was to allow the more comprehensive measure to proceed unimpeded. At the present moment nothing would impede that legislation more than a seizure of the rolling stock of any important railway by any one creditor or body of creditors. It could not be said that solvent railways would be damaged by it, because almost all the solvent railway companies in the kingdom desired it to pass. Even the most important companies, who, as far as regards income and expenditure, were perfectly solvent, but who found great difficulty in raising money to meet debentures and other liabilities, which were on the point of falling in, looked with great apprehension to the consequences of the possible seizure of their line or rolling stock. The answer to the many suppositious cases conceived by the noble and learned Lord was the same. The Bill was simply designed as a temporary measure to prevent an evil which was imminent as long as the whole class of railway evils remained without any effectual remedy. Nor could it be said that the security of the creditors would be depreciated by the passing of this Bill; it was important above all things that the earnings of a company should be protected, and that the ability of the company to make profit should be continued. Without the protection which the Bill proposed to afford, the whole security of creditors might be rendered worthless by the stoppage of a line. Take the means away and the whole became worthless. If an unpaid landowner seized the line, it ceased to work and nothing was earned; and although that individual landowner might get satisfaction none of his fellow creditors could hope to do so:—and, in the same manner, the money required for the interest of the debenture-holders, the payment of wages, and other matters would be wanting. He most decidedly differed from the noble and learned Lord that railways were not public highways. He held that they were, and Parliament acted on that principle with regard to them, although, for the convenience of the public, they would be more beneficial to the public, by companies undertaking the working of them. It had been held that railways were granted for the public benefit, and that one class of creditors had not the power of stopping the line. Now, he thought that principle ought to be applied to every creditor as well as to one class; and Parliament, when it granted borrowing powers to railways, intended that the lenders should have the best remedy for the recovery of their money, though it might have turned out in regard to the working of the Acts that those remedies did not belong to them. He thought the principle of the decision recently given by the noble and learned Lord, that debenture-holders had not the remedy of seizing the rolling stock, ought to be applied to all other classes of creditors, because, whatever might be the strict construction of many Acts, there was no doubt Parliament had intended that debenture-holders should have the same rights as other creditors. Although on abstract grounds it might appear unfair that creditors should be deprived of their present remedy, the proposal was a fair one as affecting the bulk of persons to whom railway companies were indebted, and the rejection of the measure would increase the depression which now prevailed, and would prevent companies from raising money on reasonable terms. He should, however, place himself in the hands of their Lordships, and if they desired that the Bill should be postponed or abandoned it would be useless for him to press it.

THE DUKE OF MONTROSE thought the noble and learned Lord had conjured up a number of imaginary injuries which might befall creditors, but had not sufficiently considered the injury which a railway would sustain by the seizure of its rolling stock and the suspension of its traffic. The consequences to the entire body of creditors, whether shareholders, debenture-holders, or ordinary creditors, would be ruinous in the extreme. At the present moment there were so many railway companies under difficulties caused by the peculiar state of the law with regard to the different rights and claims of debenture-holders, that it was almost impossible for any railway, however solvent (except in the case of the very large railway companies which were paying good dividends), to renew their debentures. There were, in fact, many large railways which could not and did not know how to get money for that purpose. The present condition of the whole of the railway companies arose from the state of the money-market; and the emergency was such that the only means of relief was in passing a measure similar to that then before their Lordships. The railways had got the monopoly of the traffic of the country, and the inconvenience and injury to the public from a stoppage of the traffic would be enormous. This was only a temporary measure to prevent such a disastrous state of things arising before Parliament could pass a comprehensive Bill to put matters on a more satisfactory footing. The comprehensive measure which had been spoken of was yet *in nubibus*, and if it should get into Parliament it was impossible to say whether it would pass. If, however, it did, the present Bill would present no hindrance to it, and indeed he believed it was calculated to facilitate its passage.

LORD CRANWORTH said, there was no doubt some force in the objections to allowing the rolling stock of a railway to be taken in execution; but his noble and learned Friend had convinced him that, whatever course their Lordships might take, it ought not to be such as would lead the public to believe that for any purpose whatever their Lordships' House would initiate that which was a positive injustice to present creditors. There were persons who no doubt had sold rolling stock to railway companies upon the faith that they would get paid in the ordinary way, and for Parliament to say that they should not be paid between this time and the 1st of August, might bring ruin and bankruptcy upon many. Whatever inconveniences might arise he hoped, for the honour of their Lordships' House, they would refuse to sanction a measure of so unjust a character.

THE DUKE OF BUCKINGHAM said, he trusted the noble Lord would not proceed with the Bill, for it was doubtful whether it would obviate the inconveniences anticipated, and it might possibly act prejudicially both to solvent and to embarrassed companies. They might prevent by this Bill the seizure of rolling stock between this time and the 1st of August; but during that period debentures would require to be renewed; and it would be difficult to obtain an advance of money, even in the case of perfectly sound and solvent railway companies, when the nature of the security was in any possible doubt. If this Bill were passed, capitalists would naturally hesitate to advance money for the repayment of which the only practically available security had been placed in abeyance. If the whole law of debtor and creditor as regarded these large undertakings were placed in abeyance for some months, what security would capitalists have that it might not be altered again? The result, therefore, of the Bill would be to depreciate railway securities and to raise the rate of interest which lenders would require, and this might place in embarrassment many companies that were at present able to meet their obligations, by absorbing the margin which now existed between receipts and expenditure. Was the evil anticipated so great as to demand and justify so extreme a remedy and so doubtful a policy? He did not think the inconvenience to the public from the seizure of rolling stock could be so great as had been supposed, because the rolling stock was only available for use on railway lines, and adjoining lines having also rolling stock and the right to run over those lines would find it to be to their interest to prevent any stoppage of the traffic, when the traffic was worth carrying. There was hardly any case in

which adjoining railways had not a powerful interest in the traffic and interests of the principal lines, and which would not suffer proportionally by the seizure of the rolling stock and the stoppage of the traffic. Believing, then, that the Bill if passed would be a cause of great difficulty and embarrassment to solvent as well as insolvent companies, he urged upon the noble Lord seriously to consider the propriety of postponing the further progress of the Bill until the measure on the general subject before the other House of Parliament had come before their Lordships.

LORD REDESDALE said, after what had fallen from the noble Duke, and the general expression of opinion, he had no wish to press the Bill through Committee. He certainly, however, did not think that the measure was looked upon with an evil eye by railway companies generally. He should, therefore, assent to the withdrawal of the measure.

EARL GREY thought that the noble Lord was perfectly right in withdrawing the Bill. He wished, however, to be informed when it was likely the measure of the Government would be before their Lordships' House. Although he disapproved of the present temporary Bill, he nevertheless thought that the present state of the railway interests was such as to demand not only very grave but very prompt consideration. When they considered the many important questions to be disposed of by the other House of Parliament—considering that besides the financial business before them that House was also engaged in remodelling the Constitution—it appeared to him that there was very little hope of the general measure on this subject being speedily submitted to their Lordships. It was, he thought, to be regretted that that measure had not been initiated in their Lordships' House, when they would have had the valuable assistance of many noble and learned Lords who were thoroughly acquainted with the subject, and were great authorities upon it.

Then the said Motion (by Leave of the House) *withdrawn.*

INCREASE OF EPISCOPATE BILL [H.L.]

A Bill for enabling Her Majesty and Her Majesty's Successors to erect Three additional Sees in England, and for providing Assistance to Bishops disabled by Age or other Infirmity—Was *presented* by The Lord LYTTELTON; read 1ª. (No. 51.)

House adjourned at Seven o'clock,
to Thursday next, half past
Ten o'clock.

HOUSE OF COMMONS,

Tuesday, March 19, 1867.

MINUTES.]—New Member Sworn—Right Hon. Sir Stafford Henry Northcote, baronet, *for* Devon (Northern Division).

Ways and Means—*Resolution* [March 18] *reported.*

Public Bills—*Resolution in Committee*—Public Houses, &c.

Ordered—Turnpike Trusts; National Gallery Enlargement; Public Houses, &c.; Houses of Parliament; Consolidated Fund * (£7,924,000).

First Reading—Turnpike Trusts [80]; Houses of Parliament [81]; National Gallery Enlargement [82]; Public Houses Regulation [83].

Committee—Chester Courts * [69].

Report—Chester Courts * [69].

Third Reading—Criminal Lunatics * [67], and *passed.*

CORRUPT PRACTICES AT ELECTIONS—REMOVAL OF MAGISTRATES.

QUESTION.

Lord HENRY THYNNE said, he would beg to ask the Secretary of State for the Home Department, Whether he proposes to call the attention of the Lord Chancellor to those magistrates who have been reported on by the Commissioners who lately sat on the corrupt boroughs, as being privy and assenting to corrupt practices, with a view of their being struck off the several Commissions of the Peace to which they may belong?

Mr. WALPOLE, in reply, said, he was not acquainted with the facts of the case to which the noble Lord's Question alluded.

INDIA—BANKS OF BOMBAY AND BENGAL—QUESTION.

Mr. J. PEEL said, he would beg to ask the Secretary of State for India, Whether his attention has been directed to a report which has been published in the newspapers of the intended amalgamation of the Banks of Bombay and Bengal: and, whether any change is contemplated in the arrangements now existing between the Indian Government and those establishments?

Sir STAFFORD NORTHCOTE, in reply, said, his attention had been called to a short paragraph which appeared in the City Article of one of the newspapers some time ago to that effect, but the Government had received no official communication from India on the subject; and he was unable to say whether the Indian Government contemplated any change in the existing arrangements with regard to it.

HOUSES OF PARLIAMENT—THE REPORTERS' GALLERY.—QUESTION.

Mr. BRADY said, he had a Question to put to the noble Lord the Chief Commissioner of Works on this subject which required a word of explanation. He understood there were some thirty seats in the Reporters' Gallery. He regretted that there was not a great number more. All those seats were appropriated to the metropolitan morning papers, to the entire exclusion, he believed, of the weekly London papers and also of the English provincial papers, as well as of the whole Irish and Scottish press, and to which it was therefore felt that great injury was done by that arrangement. He desired, therefore, to ask the First Commissioner of Works, Why it happens that, while accommodation is provided for the representatives of the London Press in the Reporters' Gallery, the representatives of the Irish and Scotch journals are excluded from all facilities for reporting the proceedings of the House?

Lord JOHN MANNERS said, in reply, that the Reporters' Gallery of that House was under the management of the Serjeant-at-Arms, and he had every reason to believe that officer paid every attention to the comfort and convenience of the gentlemen who had duties to discharge there. It was true the accommodation there was very limited; but the desire was that the arrangements which were made should be such as would be most conducive to the convenience of all organs of public opinion, whether they were printed in London, in the Provinces, or in Ireland, or Scotland. And although, owing to the confined space, it was impossible to accommodate more than the reporters of the London press, yet it was well known that arrangements existed by which certain representatives of the London morning journals also acted for the leading newspapers of Dublin, Glasgow, and Edinburgh. In addition to that, there were telegraphic summaries of the debates sent to such of the provincial papers that required them. The provincial journals were thus enabled to publish, simultaneousely with the London papers, ample reports of what took place in that House.

Mr. BRADY said, he would appeal to

the noble Lord to enlarge the space set apart for reporters.

Lord JOHN MANNERS said, the subject should receive careful consideration; but he was not prepared off-hand to say that the space could be enlarged.

CASE OF MR. CHURCHWARD.
QUESTION.

Mr. BENTINCK said, he would beg to ask the hon. Member for Leicester (Mr. Taylor), Whether he will enlarge his Motion for an Address to the Crown to remove Mr. Churchward from the Commission of the Peace so as to include all magistrates who have been found guilty of, or consenting or privy to, corrupt practices by Bribery Commissions?

Mr. TAYLOR said, he thought the hon. Member could hardly be serious in the question he asked. He (Mr. Taylor) had given a notice of a specific character in regard to a specific case, of the circumstances of which he had done his best to make himself master; but the hon. Member now asked him to deal with cases of which he knew nothing. If, however, the hon. Member himself would bring forward and prove those other cases, he would undertake to give him his support.

Mr. BENTINCK said, he would give notice that he intended to move an Amendment to the Motion of the hon. Gentleman.

CORRUPT PRACTICES AT ELECTIONS.
QUESTION.

Sir RAINALD KNIGHTLEY said, that on a former occasion the right hon. Gentleman the Chancellor of the Exchequer stated that if the House should be of opinion that it would not be convenient to couple legislation on this subject with the measure of the Government relating to the franchise and the re-distribution of seats, he would personally undertake in a separate Bill for dealing with it on the very same night. No doubt the right hon. Gentleman had unintentionally and inadvertently violated the letter of the pledge which he then gave. He wished therefore to ask him, Whether he was prepared to redeem the spirit of that pledge by introducing a Bill for the prevention of Bribery and Corruption at Elections; and when he intended to do so?

The CHANCELLOR of the EXCHEQUER: I hope to be able to lay the Bill on the table before the holydays. I cannot exactly say on what day.

Mr. Brady

Sir RAINALD KNIGHTLEY: Will it not be before the second reading of the Representation of the People Bill?

The CHANCELLOR of the EXCHEQUER: I have made inquiries, and I find that that would be impossible.

REPRESENTATION OF THE PEOPLE BILL.—QUESTION.

Mr. BRIGHT: I beg, Sir, to put a Question to the right hon. Gentleman the Chancellor of the Exchequer, and possibly he may object that I have not given him notice of it. If therefore he cannot answer it to-night, perhaps he will reply to it on Thursday, though I hope he will be able to give an answer at once. The reason I put the question is because it may affect the views and course of a good many Gentlemen on this side of the House on Monday evening next. I wish to ask the right hon. Gentleman, Whether, after the expression of opinion last night with regard to an important portion of his proposition—I mean what is called the dual voting—he intends to adhere to that proposal of the Bill, and whether he considers it an important and essential portion of his measure?

The CHANCELLOR of the EXCHEQUER: Sir, I have no objection whatever to answer the hon. Gentleman's Question at present, and I do not wish him to put it off till Thursday. The Bill which I asked leave to introduce yesterday is only just in the possession of hon. Members. I wish them to consider it; and I think, when we discuss it on the second reading, when every important part of it has been fairly considered by both sides of the House, that is the legitimate occasion on which to express an opinion on a point so important.

Mr. GLADSTONE: I have several Questions, Sir, to put to the Government with reference to this Bill; and they differ from that of my hon. Friend the Member for Birmingham (Mr. Bright), inasmuch as they do not touch any matter of policy, but only ask for information. The right hon. Gentleman having truly said that the Bill was in our hands only this morning, I have not been able to give him notice of my Questions; but I shall be most happy to place them on the votes in case he finds it inconvenient to answer them on my reading them over to him. My Questions, Sir, are these—

Firstly, Whether the conditions of voting in Boroughs, so far as they are affected by the Bill of the Government, are to be the same for occupiers of the value of £10 and upwards as for occupiers under £10; or, if not, in what respect they differ?

Secondly, Whether it is intended by the Bill that the occupying franchise in Boroughs, which now depends upon the occupation of "any house, warehouse, counting-house, shop, or other building," is henceforward to depend upon the occupation of dwelling houses exclusively?

Thirdly, Whether the total number of male occupiers stated by the Chancellor of the Exchequer in his speech on Monday consisted exclusively of the occupiers of dwelling houses?

Fourthly, Whether Her Majesty's Government will lay upon the table their estimates of the numbers of Voters to be enfranchised under the several Clauses of the Bill, together with the data, so far as they think fit, upon which such estimates are framed?

And lastly, Whether an occupier claiming to be registered under Clause 34, when a composition or other reduced rate on the premises has been duly paid by his landlord, must, in order to be registered, pay the difference between such reduced rate and the rate which would have been chargeable upon him if directly rated?

THE CHANCELLOR OF THE EXCHEQUER: Sir, it is impossible for me to give an answer to those Questions at once. Perhaps the right hon. Gentleman had better lay them on the table, so that I may see them in print before I reply to them.

MR. GLADSTONE: Shall I put them on the Notice Paper for to-morrow?

THE CHANCELLOR OF THE EXCHEQUER: Yes, for to-morrow.

MR. BUTLER-JOHNSTONE said, he wished to put a Question to the Chancellor of the Exchequer somewhat of the same nature as that which was addressed to him by the hon. Member for Birmingham. That hon. Gentleman desired to know whether the Government regarded the principle of dual voting as an essential part of their scheme of Reform; and whether, if that proposal were negatived by the House, it would be regarded by them as fatal to the principle of their Bill. Now, he hoped the Government — ["Order, order!"]

MR. SPEAKER: The hon. Member is quite in order in addressing a Question to the Chancellor of the Exchequer; but not in entering into any discussion on the subject.

MR. BUTLER-JOHNSTONE: The Question he wished to put was, Whether or not the last Government, in dealing with Reform, having refused to answer any inquiry as to the course they would take in the event of certain parts of their Bill being rejected, the present Government would not best consult their own honour— ["Order, order!"]

THE CHANCELLOR OF THE EXCHEQUER: I think, Sir, the proper mode of dealing with these Questions is to give the explanation which may be deemed necessary in fair discussion, when my Colleagues and myself have an opportunity of generally reviewing the whole subject. I cannot help being of opinion that by answering those Questions now, when such an opportunity does not present itself, we may give a very false impression as to the motives by which we are actuated and the object which we desire to attain. It is only when we can avail ourselves of such opportunities as that to which I have referred that the Government will be able clearly to indicate the policy upon which they mean to proceed.

CORRUPT PRACTICES AT ELECTIONS—REMOVAL OF MAGISTRATES—CERTAIN MEMBERS OF THIS HOUSE.

QUESTION.

MR. BAGGE said, he rose to ask Mr. Chancellor of the Exchequer, Whether Mr. William Henry Leatham is the same Mr. Leatham who was found personally guilty of bribery by an Election Committee of this House after the General Election of 1859, and ordered by this House to be prosecuted by Mr. Attorney General; whether Mr. Philip Vanderbyl, who is stated in the Great Yarmouth Commission Report to have entered into a corrupt agreement with a Mr. Brogden that, in the event of his being returned, he would repay the said Mr. Brogden one-half the money advanced by him for the purposes of bribery; whether Mr. E. W. Watkin, who is mentioned in the Report of the Great Yarmouth Commission and is included in the list, Schedule D, of persons having given bribes at the Election in that Borough in 1859: and, whether Mr. Alfred Seymour, who is mentioned in the Report of the Totnes Commission as having been privy and assenting to the corrupt practices that prevailed at that Election, are Members of this House, and, if justices of the peace, it is the intention of the Government to remove them from the several Commissions to which they belong?

The CHANCELLOR of the EXCHEQUER: Sir, the Questions put to me by my hon. Friend are Questions which it is no doubt very difficult to answer; because in the annals of jurisprudence there is, it appears to me, no circumstance more startling than the frequent instances of mistaken identity. I think therefore, Sir, that any individual occupying at the present day so responsible a position as that which I have the honour to hold, ought to be extremely cautious in giving an opinion on matters with regard to which such mistakes might occur. There is certainly a startling similarity in the names which have been quoted by my hon. Friend, and those which are habitually used by some Members of this House. But then if, on the other hand, I were to judge of the accuracy of the views on this point, which he seems to entertain by the general tone of expression and conduct of the gentlemen to whom I suppose he refers, I should say, looking at the unquestioned purity of their motives, the highly liberal tone which they always adopt, and the readiness which they invariably show in condemning anything like Tory corruption, there is *primâ facie* evidence that they cannot really be the same persons. I regard it to be my duty, as Leader of the House, to give all the information I can to its Members, and to suggest to them on all occasions the most practical means of securing the object they wish to attain. I would, then, suggest to my hon. Friend that a Select Committee might furnish a better mode of ascertaining the truth in this instance, than any information which I have it in my power to supply.

Mr. WATKIN: Sir, I rely upon the good feeling of the House and its love of fair play on both sides, to allow me to read a letter I addressed to the Lord Chancellor this morning, and which as I furnished a copy to the right hon. Gentleman the Chancellor of the Exchequer I had hoped he would have read, and so saved me the trouble of making any explanation to the House. I perfectly agree with the hon. Member for West Norfolk (Mr. Bagge), that a man who would either give a bribe himself or wilfully and knowingly suffer a bribe to be given on his behalf, was not worthy to hold Her Majesty's Commission. The moment I saw the notice it struck me that the most honourable and manly course for me to pursue—and allow me to say that in following an honourable or manly course it is not necessary for me to take lessons in propriety from hon. Gentlemen opposite—was to immediately address the Lord Chancellor, and I accordingly wrote to his Lordship as follows:—

"House of Commons, March 19, 1867.

"My Lord,—I respectfully apply to your Lordship to order a full inquiry into my personal conduct as impugned in the Report of the Great Yarmouth Commissioners. I entertain the opinion that any man who would himself give a bribe, and knowingly or wilfully would enable, or would knowingly countenance bribery and corruption, commits a serious offence, and the fact that persons in high places may have been led into such an offence would not justify my honour or conscience did I feel myself fairly open to accusation. When the Commissioners first assembled, I think in August last, I volunteered to give evidence, but I regret to say that I was not called till October. I was my own voluntary accuser of an imprudence and indiscretion which I would rather exaggerate than excuse, and the blame of which I will not seek to lay at the door of others who might have protected me. In volunteering evidence, I felt it my duty in the public interest to assist the labours of the Commissioners, however far truth might compel me to inculpate myself, and I shall never regret the step I took, although it has enabled a more unjust and ungenerous report, which I challenge as contrary and in excess of the evidence as regards myself. The moment the Report was printed I drew up a notice for a further and a searching inquiry, but under the advice of friends, both in and out of the House, I postponed giving it. The discussion as to one of your Lordship's recent appointments has led to various notices *en revanche*, and although I might pass them by as factious and unworthy, I am impressed with the gravity of the question which lies behind; and therefore, in now respectfully applying to your Lordship, I beg to say that I shall refrain from acting as a magistrate until I learn your Lordship's decision.—I have the honour to remain, &c."

Mr. VANDERBYL: I think, Sir, the introduction of my name into this Question was totally uncalled for. The hon. Member for West Norfolk must be sufficiently well acquainted with the constitution of the House to know that I am a Member. With regard to the second part of the Question, as I am not in the Commission of the Peace I have nothing to do with it, and I cannot see what was the use of introducing my name into the Question. I think it is pretty well known that there must have been some peculiar motive which has induced the hon. Gentleman to put this Question upon the Paper.

FIRE INSURANCE.—RESOLUTION.

Mr. H. B. SHERIDAN rose to move—

"That, in the opinion of this House, a further reduction of the Duty on Fire Insurances would have a tendency to bring within the protection of Insurance a large amount of the present uninsured property of the Country, and that a further reduction of the Duty should therefore be made at the earliest opportunity."

He said: There was nothing contained in this Resolution that was new to the House. The House had on more than one occasion given its assent to Resolutions having for their object the reduction of the duty on fire insurance. In the course of the various discussions which had taken place on this subject in former years, the House had stated its opinion to be that if a considerable reduction in this duty were to be immediately effected great results to the revenue might be expected; and it had, under every circumstance, and notwithstanding the arguments used by those who opposed a reduction of the duty, affirmed the proposition that it was of consequence to the country that this duty should not remain at its present amount. He did not think that the House would require any apology from him for bringing this question before it at this time; as the only chance which he, or any independent Member of that House, had of obtaining a reduction of any particular duty was to submit for the consideration of the House, prior to the introduction of the general financial scheme of the Government, a Resolution of the nature he proposed. After the ample discussion the question had undergone in previous years, he should not think it necessary to repeat the figures and arguments which he had more that once submitted to the House. The House had invariably come to the conclusion that the duty was excessive, and could not on fiscal grounds be maintained; that it ought to be materially reduced, and that the reduction ought to be direct and immediate. He should then confine himself to a very brief statement of the arguments on which he and those who agreed with him generally relied for a reduction of the duty on fire insurance. He had the misfortune at the time to which he referred to come into conflict with the right hon. Gentleman who was then the Chancellor of the Exchequer (Mr. Gladstone), and who had large financial plans of his own for the amelioration of the burdens on the people of this country. Therefore no arguments that he (Mr. Sheridan) used could induce the right hon. Gentleman to look at a subsidiary question like this before he had accomplished his own great designs. But at length, yielding to the pressure of the House, the right hon. Gentleman consented to consider this question, and he proposed a reduction of a qualified character upon stock-in-trade. The objectors to the tax had invariably objected to the peculiar unfairness which characterized the levying of the duty. But having consented to a reduction to 1*s.* 6*d.* on stock-in-trade, the right hon. Gentleman was induced, by a further Resolution of this House, to extend the reduction generally to all descriptions of property, and now the duty on all descriptions of insurable property stood at 1*s.* 6*d.* per cent. It was entirely an experiment on the part of the right hon. Gentleman. The persons who advocated the reduction had invariably urged that the duty should not be more than 1*s.*, many said 6*d.* was sufficient, and some indeed proposed 1*d.* The reduction to 1*s.* 6*d.* was a great reduction, but it had brought about an increase in the amount insured of £145,000,000. If from that amount was deducted the increase which might naturally be expected from the increase of wealth in the country, some definite conclusion would be arrived at. The Report of the Inland Revenue showed there was an increase of £65,000,000 more than was to be expected under former circumstances. But it could not be expected that this small increase would satisfy the advocates of a reduction, for they held the belief that unless the reduction was made of a wide and sweeping character, no perceptible influence would be exercised on the revenue. Therefore, he maintained that the 1*s.* 6*d.* was an experiment rather than adopted in obedience to the wishes of this House. The country was still anxious for further reduction. The House had only to refer to the petitions presented to this House to satisfy themselves that such was the case. During some two or three years nearly 1,000 petitions were presented. There were 300 this Session alone. They were not the petitions of ordinary persons, who signed without distinctly understanding their nature; but the petitions of Town Councillors, merchants, magistrates, persons in official position, and generally taxpayers. No less than 466 petitions had been presented within the last two years from Chambers of Commerce and Town Councils under their corporate seal. Also from Insurance Companies and Agents. They all favoured the object he had in view, and they favoured it mostly on this ground: that it was unlike any other tax in our fiscal system—it exhibited unfairness in a most unequivocal manner. It taxed one man and let off another. All other duties—on sugar, tea, tobacco, spirits—were different; in this instance the prudent and saving man was taxed, while the imprudent escaped. It was not a tax upon property, but upon a principle of action, upon the doctrine of insurance. Unlike other taxes, too, its effect was to weaken itself; because it taxed the man who desired to take care of property which was valuable, not only to himself, but to the country. If uninsured property was destroyed by fire the loser was often unable to pay either Imperial taxes or local rates, and might, indeed, sink from a thriving tradesman into a miserable pauper. The object of the Legislature should rather be to give a man a bonus to insure than levy a tax upon him for so doing. It should rather tax the man who did not insure. Property insured was of the greatest possible value—of as much value to the country almost as to the owner. It was a security for numberless taxes, for Government taxes, for metropolitan and other improvement rates, for poor rates, and other local burdens. It was so much realized wealth. There was no nation in Europe which imposed a tax of this kind like England. It was a tax upon an idea, a sentiment, an intention, an unfulfilled resolution, upon a desire to provide one's self against a terrible social calamity. It would be far better to tax the amount insured than the small deposits. Those deposits, in some cases, had been paid for over fifty years, and yet not the smallest result been gained; therefore he contended it was unjust to tax them. The tax upon insurance was a tax upon an idea, it was a tax upon a mere expectation that if property were insured against fire, something would be obtained for the money expended on insurance. But if no fire took place nothing would be obtained by the insurer. Mr. Newmarch said it would be just as sensible to tax a person who deposited, say, 1*s.* 6*d.* at a time in a money box to provide against a rainy day, as to tax a person who deposited money in an insurance office to provide against fire. It would be just as sensible to tax the inclination of a testator to leave a legacy as to impose a tax on insurers against fire. And if the Government must tax ideas, it would be better to tax vice rather than virtue. But it could never be contended that it was necessary for the support of the Government to put taxes upon prudence. This tax had been condemned by all writers on political economy, by the Insurance Companies and their agents, by public opinion, and by the press. He proposed nothing to alarm the Chancellor of the Exchequer. He merely said it was expedient a further reduction of duty should take place. He proposed to reduce the duty from 1*s.* 6*d.* to 1*s.* during the next year, commencing at the June quarter, and in the following year again to reduce 6*d.*, leaving the duty a sixpenny duty. By the Report of the Commisioners of Inland Revenue it appeared that four quarters' receipts of the duty at 1*s.* 6*d.*, up to September, 1866, had amounted to £989,673. If they took this as a basis of calculation, and assumed that subsequent receipts would be on the same scale, the calculation would stand thus:—A reduction to 1*s.* from the 25th of June 1867, would give: One quarter at present rate, from March to June, at 1*s.* 6*d.*, £247,000; three quarters, from June to March, 1868, at 1*s.*, £495,000. The natural increase was now £50,000; with reduced duty the increase would be £100,000. The receipts for the year ending March 1868, would be £842,000; that would entail a loss the first year of (in round numbers) £147,000. In the second year the first quarter would again be at the 1*s.* rate—namely, one quarter, from March to June 1868, at 1*s.*, would produce £190,000; three quarters, from June to March 1869, at 6*d.*, £285,000. Assume the increase to be from this reduction £100,000 more than the present increase at the unreduced rate, that would give £150,000; making the receipts for the year ending March 1869, £625,000. The loss in the two years would amount to £511,000. And it might be fairly estimated that the revenue would continue at that rate to increase steadily, until a larger amount than at present received was produced. He proposed to leave the matter entirely in the hands of the right hon. Gentlemen the Chancellor of the Exchequer, merely suggesting to him the propriety of reducing this tax from 1*s.* 6*d.* to 1*s.* per cent on the sum assured from the June quarter, and from 1*s.* to 6*d.* in the following year. Such a reduction would not only satisfy those who petitioned the House, but would gratify the general wishes of the country, whilst a great boon would be conferred upon—nay, simple justice would be done to—the insuring public.

Motion made, and Question proposed,

"That, in the opinion of this House, a further reduction of the Duty on Fire Insurances would have a tendency to bring within the protection of Insurance a large amount of the present uninsured property of the Country, and that a further reduction of the Duty should therefore be made at the earliest opportunity."—(*Mr. Henry B. Sheridan.*)

Mr. BAILLIE COCHRANE said, that the hon. Gentleman had acted most consistently in bringing this question before the House, and he had done great good on former occasions by bringing it forward. He regretted, however, that the hon. Gentleman had brought the matter forward on this occasion; because, on the Motion of the hon. Member for Edinburgh, a Committee had recently been appointed to inquire into the whole of the system pursued by insurance companies, and as to the best means of securing property from fire. The property in the metropolis was worth £900,000,000. Only about one-third of that was insured. The insurance companies were the only parties who protected property in the metropolis. That cost them £25,000 a year. If the owners of the uninsured property could be induced to insure it, the insurance companies would then be able to expend £75,000 a year in protecting the property of the metropolis. He thought the Government ought to protect the property of the country against fire, as the French Government protected property in France. The French Government protected not only the property but the lives of the people against fire. Last year he believed there were 1,200 or 1,300 fires in the metropolis, attended with great loss of life! Therefore this was an important Imperial question, which materially affected the Government, and which must be carefully investigated by the Committee on Fires. They might as well put a tax on fenders and fireguards as upon insurances against fire. The insurance rate was so high that he had known cases in which it was found that the destruction of property by fire caused less outlay than the insurance of it would have cost. He spoke of farm buildings in his own county. The small amount of property insured in this country proved at once that there was something wrong in this tax. He thought the tax ought to be abolished altogether. Whatever it produced to the revenue, he thought it was a vicious tax. It would be as just to tax the arms by which a man defended his life, as to tax insurance against fire. The loss of life by fire in the metropolis and in many large towns was lamentable; and he thought the Government, as in great cities abroad, ought to be the parties to whom the people should look for protection against fire instead of actually making a profit out of insurance. This question had always been brought forward by the hon. Gentleman with great ability, and he had always supported him. Still, he could not but think that it was not opportune so soon after the appointment of the Committee on Fires to have brought it forward now, and he hoped the hon. Gentleman would not ask the House to divide.

Mr. HUBBARD said, he was not only opposed to the duty on fire insurance, but also to the duty on marine insurance. He would venture to ask the hon. Gentleman to withdraw his Motion, not because the subject required investigation, but because it had been so often investigated. He thought the obnoxious nature of this tax had been fully acknowledged by public men on both sides of the House, and the House itself had repeatedly expressed a wish for its abolition. The total abolition of the tax was a mere question of time. It was due, however, to the position of the Chancellor of the Exchequer that at this moment the proposal should not be forced upon him. He could not doubt that the Chancellor of the Exchequer was exceedingly desirous of meeting every fair claim, and of redressing every grievance that might be brought under his notice. Not long since the right hon. Gentleman had yielded to the representations of Irish Members in reference to the extension of time for the repayment of loans to Irish railways; and no doubt in the matter of the tax on insurance he would be equally ready to listen to the views that might be pressed upon him.

Mr. GLADSTONE: Sir, my hon. Friend who has just sat down has made an appeal to the hon. Member for Dudley to withdraw his Motion, and has founded that appeal upon the conviction he entertains that the Chancellor of the Exchequer will make provisions for complying with the wish which the hon. Member says this House has repeatedly expressed that the tax upon insurance shall not continue. I do not think the hon. Gentleman is accurate in his declaration that the House has more than once expressed a desire for a reduction of this tax. I do not think such an opinion has been expressed since the reduction of the tax to 1*s.* 6*d.* I shall be glad if the hon. Member for Dudley withdraws his Motion; and the opinion that I shall express in reference to the tax is not one which ought to deter him from that course. I would object to any Motion the effect of which would be to fetter the discretion of the House in forming its impartial judgment when the revenue and Estimates are before us, as to whether we have any means of granting remissions, and if so, what those remissions should be. Both in office and out of office I have uniformly contended for that principle. It is a very disagreeable office which the Finance Minister has to perform, in interfering with the very natural, reasonable, and often very legitimate desires of hon. Gentlemen with regard to particular taxes. That Minister has to hear many representations of grievances, those who come to him caring only for their own particular grievances; and, as happened at the doors of Westminster Hall on Monday morning, those who came to hear the Minister tried to outrun each other, and none of them cared what became of those who were left behind. I do not wish that the repeal of this tax should depend upon the energy or activity of the Members who are the advocates of such repeals; but that it should depend in part upon the judgment of the Government, who must take the initiative, and supremely upon the judgment of the House. To make it satisfactory to the country it is in general necessary, though there may be cases of exception under extraordinary circumstances, that that judgment should be formed by the House when it has the opportunity of considering at once and comprehensively the whole state of the finances, and of balancing one claim against another. Upon that ground I hope that the House will not accede to the Motion. In any case, I feel it my duty to support the Chancellor of the Exchequer in the discharge of a disagreeable duty, from which I understand he does not intend to shrink. The principal error—if he will forgive me for using the term respecting one who has so deeply studied the question—into which I think the hon. Member for Dudley has fallen, is, that if the tax were reduced the revenue would be recovered through the augmentation in the number of insurances. That, I contend, is an entire delusion. The reduction of taxes on articles of consumption affecting the masses of the people enormously widens the field of consumption; and we know from experience that those reductions—great as they have been—result in a positive increase of revenue even on the article itself. The Customs revenue of the present year—after the vast operations performed on it—will be almost larger than in former years. But this is not true with respect to taxes upon property. I know no case in which loss caused by the reduction of taxes upon property has been recovered. Let us not, therefore, entertain expectations that cannot be realized, but look to the case as it stands. I think my hon. Friend the Member for Buckingham has distinctly shown to us two things: first of all, that this is a tax upon property; and secondly, that it is a bad tax upon property. Still, in the present relative position of the taxes upon property and upon labour, it is a serious matter to abandon taxes upon property without obtaining compensation from other taxes upon property. I own, and I will even urge, that the tax upon insurance demands, upon the first convenient opportunity, the consideration of the Government; and that the object of that consideration should be, in the first place, to reduce that tax itself to a point so low that it cannot be a sensible restraint upon insurance. We might, perhaps, meet the objection to relieving property from taxation while taxes press so heavily upon labour which has so much higher claims to reduction by finding another means of taxing property in lieu of it—means that would be equal instead of unequal. It should not be a tax upon the virtue of prudence, but should be entirely independent of it, leaving that virtue to operate thoroughly in its own field. We should leave the whole community to insure their buildings, and everything requiring to be insured, I will not say without a tax, because our condition requires us to tax those transactions of trade and industry that are the life and vigour of the community. I would not, therefore, propose a total exemption, for that would strike at the root of the whole system of taxes, with which we cannot dispense; but we might go down to something so near the nature of a nominal rate as to make insurance easy, but couple with it the condition that we ought not to make that the opportunity for relieving property, the taxes upon which at this moment are anything but extravagant, and which have been lightened by the reduction of the income tax. Leaving property to bear its burdens, we should accede when possible to the reduction of the tax to a low point, analogous to some of the small taxes which are so low that they do not interfere with the transactions to which they relate. I strongly support the Government in refusing to give a pledge that will fetter the future discretion of the House, while I hope that in a proper manner, and in conjunction with other collateral arrangements, the existence of this tax, with the evils it produces, will receive the early attention of those competent to deal with it.

Mr. HADFIELD said, he should support the Motion, the adoption of which he thought would induce a larger number of persons whose property was now uninsured to provide against losses which would result from fire. He did not see that there was any difficulty in the way of the Government giving a pledge that at as early a period as possible the tax would be reduced. He considered the tax immoral, injurious, and intolerable, and could not long rest on its present footing.

Mr. THOMSON HANKEY said, he should support the Motion. The hon. Member for Dudley (Mr. H. B. Sheridan) had to contend with the usual obstacle which beset private Members when pleading for the remission or reduction of a duty—the inconvenience which the Chancellor of the Exchequer for the time being would be sure to insist would result from choosing so inopportune a time for the proposal. But for the perseverance of the hon. Member for Dudley, there would have been no reduction of the duty. He was right in enforcing the consideration of the subject again on the House; because, from the reduction having been insufficient, the question had not had a fair trial. The effect of the tax at the present time was that a vast amount of property was uninsured; the owners being deterred from insuring by the excessive tax they would have to pay for so doing. The right hon. Gentleman the Member for South Lancashire had stated that he had never known a case in which the reduction of a tax upon property had been followed by recovery; but the right hon. Gentleman had forgotten the case of the income tax. When a high rate prevailed there was a great amount of evasion of the tax; but when the rate was lowered a greater amount in proportion was received.

The CHANCELLOR of the EXCHEQUER: Sir, I do not intend to enter into the merits of the question, and I must reserve my opinion upon it until the proper time arrives; but I must ask the House to support me in resisting the Motion of the hon. Gentleman. It appears to me that it is extremely inconvenient, and I think disadvantageous to the public service, that upon the eve of a statement of the general condition of the finances of the country, and the consequences of that condition, the House should be called upon to pledge itself to a Resolution of this kind, which must not only be a source of great embarrassment to the Minister, but also to the House. The House has had experience of the inconvenience of Resolutions of this general character — as, for example, that in regard to the income tax; and I trust the House, recollecting that, will not sanction further a course which every one connected with the finances has found to be inconvenient. The hon. Gentleman has had an opportunity of placing before the House his views upon the matter. It is a question which he completely understands, and always expounds with great ability; and if, after mature consideration, the House should agree with him, it will be due to the information which he has placed before them, and which may influence their judgment. But what I ask the House to do is, that they should keep themselves perfectly free as to the course which they may see fit to sanction when they are in complete possession of the financial condition of the country. It is said that the House may, by waiting for the financial statement, lose the opportunity of expressing its opinion on what should be the financial policy of the Government. That, however, hardly applies to existing circumstances. When the statement is placed before the House it will have sufficient power to control any course which it may think fit to suggest. Such course will depend upon the wisdom and expediency of the recommendations which I may offer. I trust therefore the hon. Gentleman will not press his Resolution to a division. As I do not wish to give any opinion upon the merits of the question which has been brought before us, I must, if the hon. Gentleman does not yield to the requests of his friends and supporters, move the Previous Question.

Mr. H. B. SHERIDAN said, he could quite understand the argument which the right hon. Gentleman had addressed to the House. It was the usual argument which was addressed by Gentlemen placed in his position who did not like the House to make any suggestions to them as regarded the disposal of their surplus finance. He quite differed with the right hon. Gentleman in thinking that there was anything in this Resolution which could be construed into an embarrassment. The Resolution was nothing more than the expression of an opinion that a further reduction of the fire insurance duty would be very desirable. There could be nothing in such a Resolution which would dictate to the right hon. Gentleman. He had to congratulate the House upon the speech of the right hon. Gentleman (Mr. Gladstone), who had to-night frankly admitted for the first time that this was a tax which could not be defended on any sound principle, and which ought not to be maintained if there could be any mode devised by which it could be reasonably got rid of. The noble Lord (Lord Stanley), in a speech at Kings Lynn made on the 20th of October, said the worst tax beyond exception which we had was that on fire insurance; 'that it discouraged prudence and encouraged gambling. Fortified by such an opinion as this, and believing that there was nothing whatever in the Resolution which had to do with the position of hon. Members on either side of the House, he should feel it his duty to take the sense of the House upon the Resolution which he had moved.

Whereupon *Previous Question* put, "That that Question be now put."—(*Mr. Hunt.*)

The House *divided*:—Ayes 156; Noes 215: Majority 59.

TURNPIKE TRUSTS BILL.

LEAVE. FIRST READING.

MR. KNATCHBULL-HUGESSEN: Sir, I rise to move for leave to bring in a Bill to alter and amend the Law relating to Turnpike Trusts. In attempting to legislate upon this question, I know that I am undertaking a task which is not unattended with difficulty—there are so many conflicting interests to satisfy, so many different opinions to reconcile, that no man could hope to frame a measure which would not necessarily be subject to much criticism and much opposition. Moreover, this is a subject which would more fitly be dealt with by the Government of the day than by a private Member; and it is not until I had ascertained by inquiry from the right hon. Gentleman opposite (Mr. Walpole) that there was but little probability of his dealing with it during the present Session, that I ventured to give that notice for which I now bespeak the kind indulgence of the House. And, perhaps, it will be well to clear the way at the outset by the remark, which will be easily understood by those who are conversant with the subject, that the Bill which I shall have the honour to propose will in no way affect the interests either of Ireland, or of Scotland, or of South Wales. Ireland, indeed, is a step in advance of England in this matter; since the year 1857 her tolls have been abolished, and the repairs of her roads borne by the rates of counties and baronies. Scotland has a system of valuation of her own, differing from that of England; and if any alteration in her road laws is required, it may safely be left to her own representatives, who have always shown themselves so competent to manage Scotch legislation. And as to South Wales having courted legislation by a series of popular protests against turnpike tolls, which are known by the name of the Rebecca riots, South Wales has been since the year 1844 under a Consolidation Act, by which the extinction of her debt was provided for by an advance out of the Consolidated Fund, repayable by Terminable Annuities of thirty years. It is therefore with England and North Wales alone that I have to do. I have to show that the present system is a bad system, and further, that the alterations which I propose may be adopted to the advantage of the public without being attended with such hardship or injustice to localities as would, in any material degree, neutralize or counterbalance such advantage.

Now, Sir, that the present system is a bad system is an opinion which, rightly or wrongly, has been entertained by Parliament for the last thirty years, so far as Parliament has expressed any opinion upon the subject. I can hardly sum up the objections better than in the words of the Select Committee of the House of Commons which sat in 1836. They say—

> "The great proportion of the witnesses appear nearly unanimous in their testimony that the system of exacting toll from the public for the use of the roads is vexatious and expensive in the collection, by the number of collectors and toll-gates kept up, and from a combination occasionally found amongst the lessees of such toll-gates in the vicinity of large towns, by which, in some instances, the fair equivalent in rent is not obtained by the trustees." "Where great towns are not found, the chief burden of the toll seems to fall upon the landholder and the inhabitants of the neighbourhood; and whilst they are paying more in tolls than they would probably pay in some other manner if the system were altered, they find their property in houses and land deteriorated in value from the impediments to a free intercourse of commodities arising from tolls."

This Committee was of opinion that

"the abolition of tolls throughout the Kingdom would be beneficial to the community," and this opinion was fully endorsed by the Committee which sat in 1864, under the Chairmanship of the hon. and learned Member for Hereford (whose name is with my own on the back of the present Bill), and which summed up its opinion upon the point in these words—

> "Tolls appear to your Committee to be unequal in pressure, costly in collection, inconvenient to the public, and injurious as causing a serious impediment to intercourse and traffic."

Now, Sir, if I took these words for my text it would be easy for me to found upon them a somewhat lengthy argument. But it will probably be more convenient to the House that I should assume, for the moment, that the opinion of these Committees, adverse to the present system, is a correct opinion; that I should endeavour to state, as clearly as I can, the present condition of the question, the alterations which I propose, and the advantages which I believe would be derived from those alterations. The House will, of course, be aware that the great majority of turnpike trusts have their origin in local Acts passed within the last century, limited at first for a term of years, and subsequently renewed by Parliament from time to time. In the year 1850, when the system was in a state of great confusion, an Act was passed which enabled the Home Secretary, on receiving from the trustees of any trust notification of the consent of two-thirds of the mortgagees, to issue a provisional order, reducing the rate of interest and extinguishing arrears. This has been done in the case of upwards of 160 trusts; but there are many cases which, the consent of the mortgagees not having been either asked or obtained, will not come within the power of the Home Secretary until their Acts expire. You may, in fact, divide the turnpike trusts of England and North Wales into two divisions—1, those whose local Acts have not expired, or have been renewed; 2, those whose local Acts, having expired, are continued by the Annual Continuance Act. And, again, there is another important division which may be made—namely, trusts in debt and trusts out of debt.

Now, Sir, the arrangement of the Annual Continuance Act is to my mind not a very satisfactory part of the duties of the Home Office. There is no definite principle clearly laid down to guide the decision as to which Acts shall be continued and which shall be inserted in the schedule of the Act to expire on the 1st November in the then next year. The consequence is that one Home Secretary, taking a different view from another, and acting upon a different principle, the operation of the law is uncertain, and therefore unequal and unfair. When I had the honour of succeeding Mr. Baring, the present Lord Northbrook, as Under Secretary at the Home Office last year, I found that this subject was one which had been intrusted to him by the right hon. Baronet the Member for Morpeth, and I succeeded to the charge. To this and to every other question with which he had to deal Mr. Baring brought that acuteness of intellect and careful attention which I venture to say constituted him a valuable public servant. He had sat upon the Select Committee of 1864, and, acting in the spirit of the Report of that Committee, had turned his attention particularly to the cases of those trusts which, being out of debt, were annually continued. Early in February last year a circular was sent from the Home Office to all trusts which were out of debt, asking in each case full particulars of the circumstances of the trust, and whether there were any special reasons for its continuance. It fell to my lot to receive and consider the answers returned to these circulars. Now, Sir, the number of trusts, according to the last statement of turnpike income and expenditure in possession of the House—that for the year ending 31st December, 1864—had been 1,055 at that period. In the schedule prepared by Mr. Baring in 1865, eighteen trusts had been marked for abolition, freeing from tolls 476 miles of road. This left 1,037 trusts, of which 534 were under the operation of the Annual Continuance Act, and 114 of this number were trusts out of debt, to which the Home Office Circulars applied. Having obtained the consent of my right hon. Friend at the head of the Department to the principle upon which I proposed to act, I carefully considered each case, and finally inserted in the schedule for abolition 83 out of the 114. Out of 420 trusts in debt, I found special circumstances which enabled me to place in the schedule upwards of forty more, so that if the right hon. Gentleman opposite had maintained last year's schedule in its integrity, the 1st of next November would have seen the termination of about 130 trusts, freeing from tolls some 3,000 miles of road, and only leaving in existence thirty-one trusts out of debt, which number might shortly have been further reduced. From information reaching me from different parts of the country, I am induced to believe that the right hon. Gentleman opposite has materially diminished this schedule. I do not presume to blame him—he may be right and I may have been wrong—the utmost I should be inclined to say of him is, that I fear that in listening to the representations of trustees and of persons fearing an increase of rates in their parishes, he has evinced a tender-heartedness, admirable in an individual, but sometimes inconvenient in the management of a great public Department. I will not weary the House with individual instances which have come to my knowledge, but I will quote one as a sample of the whole. I take the case of the Devizes trust. This trust is twenty-seven miles in length. In 1865 its debt was reduced from £700 to £500. The property of the trust was carefully valued at £595, sufficient of itself to have extinguished the debt, and responsible people in Devizes were ready to guarantee the trustees indemnity for any loss to be sustained by the removal of the toll-gates. The trust was inserted in the schedule of 1865; but, at the instance of the hon. Member for Devizes, it was re-inserted in the Continuance Act of that year. Having most fully considered the case, I again placed it in last year's schedule, and I believe all parties would have acquiesced in such an arrangement. Now, if the trustees had come to Parliament for a new Bill, those who desired the abolition of the trust would have had an opportunity of being heard against the Bill, and I venture to say the Bill could not have been obtained. But, instead of this being the case, I understand that the Home Secretary, listening to representations from I know not whom, has again inserted this trust in the Continuance Act. Now, Sir, I instance the case of this trust, because I venture to say that there are no arguments to be advanced in favour of its continuance further than those general arguments of persons who are the advocates of the present system and who dread the increase of rates, so that if the right hon. Gentleman has spared this trust, there is no reason why he should not equally spare the great majority of those which were scheduled last year. Again, I say that I do not presume to blame the right hon. Gentleman for acting upon a different principle from those who preceded him. I am only pointing out the uncertain operation of the law; and in justification of my own course, I will merely refer to the concluding words of the Report of the Committee of 1864, where, after referring to the case of trusts out of debt, they proceed to say—

> "Your Committee suggest that such trusts should be excluded from the operation of the Continuance Act, and be obliged to come to Parliament for a renewal of their Acts."

But, Sir, if the Home Secretary had maintained last year's schedule in its integrity, there would have still remained the necessity for legislation. And, no doubt, it would be most desirable, if it were possible, that we should deal simultaneously with all turnpike trusts. But before I state to the House the proposals which I shall venture to make in this direction, it is necessary that I should say a few words upon the state of the income and expenditure of these trusts. I find that the income of turnpike trusts from all sources amounted in the year ending the 31st December, 1864, to £1,037,000. The expenditure in the same year was £1,017,000, of which £147,000 had been employed in paying off debt, and £120,000 in paying the interest of debt.

Now, Sir, I put plainly before the House one of the immense evils of the present system of this expenditure, to meet which the public has to endure this inconvenient tax. The amount which goes in collection and management is variously estimated at from 30 to 50 per cent on the revenue. The right hon. Gentleman shakes his head; but from all the information I have been able to obtain, I believe I may safely estimate this expense at an average throughout the country of 40 per cent. You have the salaries of clerks, treasurers, and surveyors. You have the cost of maintaining, lighting, and repairing toll-gates, and keeping a staff of collectors. You have legal charges and the great periodical expense of renewals, and you have also, in the many cases in which tolls are let, that which it is impossible to estimate accurately, and which is beyond this estimate—namely, the profit of the lessee. He must have a profit, and that profit must come out of the pocket of the public. Then, Sir, I say that on the grounds of public economy alone, if I went no further, the turnpike trust system stands condemned. But apart from the expense of collection and management, the House must not suppose that the remaining expenditure is devoted to, and is sufficient for, the necessary repairs of roads and the payment of debt. The conditions and circumstances of trusts vary greatly. Some trusts, no doubt, are annually paying off some portion—often a very small portion—of their debt. Some, without hope of doing this, have their income absorbed in the payment of establishment charges and interest of debt, whilst the repairs of their roads are even now borne by the parishes. Some trusts, I am afraid, keep up a nominal debt for the sake of obtaining a place in the Continuance Act; and a considerable number, although in debt, actually spend in improvements money which ought to go towards the liquidation of that debt. The House will be surprised to learn that out of 187 trusts, which employed a portion of their income in improvements in the year 1864, no less than 151 were actually in debt at the time of so doing, and of this number eighty trusts, or more than half, paid off not 1*d*. of principal debt during the year. No doubt, the application of a general principle to these trusts is not an easy task. The complications and varieties of the system, whilst they render its alteration desirable, infinitely increase the difficulty of effecting that alteration by any uniform and simultaneous act of legislation. But, Sir, supposing that we agree—as I hope the House will agree—that alteration is necessary, there are two great difficulties which always stare us in the face—first, the alleged hardship of throwing upon individual parishes the repairs of roads which were originally constructed for through traffic, and not for local traffic; and secondly, the debt. With permission of the House, I will deal with the debt first.

I find that the turnpike debt in England and North Wales amounted in the year 1837, in round numbers, to £7,000,000. In 1860, it was £4,688,000, and in 1864, the total amount of debt was about £4,500,000. But for floating debt, balances due to treasurers, and a large sum of unpaid interest which cannot be fairly called debt, and would infallibly be extinguished by the orders of the Secretary of State, as the Acts expired, I strike off at once £500,000, and I take the actual amount of bonded debt in the year 1864 to have been about £4,000,000. As the Returns of income and expenditure for 1865 and 1866 are not, and cannot yet be, in our possession, I am unable to state the precise amount of the debt at the close of last year; but as I find that the average annual amount of debt paid off during the six years ending the 31st December, 1864, was about £135,000, I shall not be far wrong if I estimate the debt on the 31st December, 1866, to have been about £3,700,000; and as the marketable value of the debt, upon an average throughout the country, certainly does not exceed 70 per cent, I take the actual marketable value to be from £2,500,000 to £2,600,000 at the present time.

Now, what is the condition of the mortgagees and bondholders? I speak the more feelingly, but also the more freely, as being myself one of that honourable fraternity. I am sure that this House would always wish to deal tenderly with persons who had invested their money upon anything like the faith of Parliamentary security. But what is our position? Some of us, no doubt, have advanced our money because we thought it a good investment, and had faith in the continuance of the system. Many of us, or our fathers before us, advanced money in order that our own estates and neighbourhoods might be improved by the making of good roads, and from such roads we have received a very considerable benefit. But all, wisely or unwisely, invested their money in that which they knew clearly at the time to be in law a terminable security—all have had fair warning for the last thirty years of the spirit in which Parliament was likely to regard this question, and I say that we should do wrong if by our legislation we attempted to give an increased or fictitious value to a debt which in very many instances is of exceedingly small value. You might almost as well propose to compensate those who have invested their money in coaches and roadside inns, the value of whose property has been so much deteriorated by the introduction of railroads. Besides, Sir, we are bound to consider what would be the position of the bondholders, and what their prospect of payment, if we were not to legislate at all upon the subject. Comparatively few of them could ever hope to receive any considerable portion of their principal; as the Acts expire, their trusts would come under the control of the Secretary of State, their interest would inevitably be reduced, their arrears of interest extinguished, and their fate would be uncertain at best. I am always most unwilling to trouble the House with details and statistics; but, as this is one of the main difficulties of the question, I have taken infinite pains to analyse closely the condition of these trusts, so that the

House and the country might have clearly before them the varying, different, and uncertain value of this debt with which we have to deal.

I find that in 2 counties the average rate of interest is 5 per cent. In 10 counties it is 4, but less than 5. In 25 counties 3 per cent up to 3½ per cent, and in 9 counties it is less than 3 per cent. This exhausts the 46 counties of England and North Wales. I find that out of 873 trusts which were in debt in the year 1864, only 431 paid off any portion, and some a very small portion, of the principal of their debt during that year; 442 paid off no principal at all. Of these 873 trusts, representing £4,000,000 of bonded debt, I find that 316 trusts, representing £1,616,000, paid 3 per cent, or less than 3 per cent interest; of which 143 trusts, representing £768,000, paid 2 per cent, and less than 2 per cent; of the remaining trusts, representing something less than £2,400,000, as many as 229, representing upwards of £900,000, paid 5 per cent; and, at first sight, this would, of course, appear to be good property. But when you look closely into their condition, you will find that only 67 of these trusts, representing £260,000 (and this includes a Middlesex trust representing a debt of above £57,000), paid off any principal either in 1863 or 1864; the remaining 162, representing debt of £650,000, paid off, and were likely to pay off, no principal whatever. Their high interest, therefore, affords little criterion of their real marketable value, and when their trusts expire it would at once be reduced by order of the Secretary of State. The question seriously arises whether, if the present system is admitted to be inconvenient and vexatious, Parliament will for ever maintain that system in order to secure the interest of their money to persons who have invested that money in a terminable security, and can never hope to receive their principal. It is very well to deal tenderly with individuals; but, after all, it is justice to the public which should guide our legislation.

And now, Sir, I come to the second difficulty—namely, the hardship to individual parishes if the repairs of the turnpike roads within them were to fall upon them. Sir, it was the opinion of the Committee of 1864 that, to obviate this hardship, there should be an extension of the area of rating. But that Committee, whilst unanimous in this recommendation, failed to agree upon any specific area. For my own part, I do not scruple to say that I think the best and simplest solution of the question would be to make the Highway Act of 1862 compulsory, and to put the repairs of all roads, highway and turnpike, upon the district fund of the highway district to which they belong. The whole district benefits by good roads, and, to my mind, the system of parochial management of roads is the system of a bygone age. Sir, when the Highway Act of 1862 was passed, I was strongly of opinion that the proper course to pursue was to make the new highway districts coterminous with the union districts, with a power of subdivision where necessary. You had a staff of officers already at work—you had a place of meeting ready to your hand—you had a combination to which parishes had become accustomed — and I believe this course would have increased the popularity as well as the efficiency of the measure. But the right hon. Baronet the Member for Morpeth (Sir George Grey) was of a different opinion; Parliament decided otherwise, and we have to deal with things as they are. I know that the proposal to make the Highway Act compulsory under existing circumstances would create much opposition. I scarcely venture to propose it upon my own responsibility; but if the Government should give their sanction, and if I perceived an indication of the opinion of the House in this direction, I should be perfectly ready to engraft it upon the Bill, which I think it would simplify and render more efficacious. I may mention that the Highway Act, according to the Return of 1865, was then in force in 35 counties, or parts of counties, in England, and one in Wales, comprising upwards of 300 districts, and a very large mileage of road. Sir, I do propose that, wherever the Highway Act is in force, the repairs of these roads should be placed upon the common fund of each district. And where the Highway Act is not in force, if it is right that the parishes should any longer escape their common law liability to repair the roads within them, I do not think it ought to be by means of the wasteful and inconvenient system of turnpike tolls. Let us look the matter fairly in the face. The evidence taken before your Select Committee goes to prove that, in the vast majority of cases, the through traffic upon these roads has sunk into comparative insignificance since the introduction and multiplication of railroads. These roads now practically exist for the purposes of local traffic, and those who pay the tolls are the same persons as those who pay the rates—namely, the owners and occupiers of the district. Then, if I have shown you that the expense of turnpike toll collection and management is enormous, is it worth while to continue this expense for the sake of the very small benefit which is derived from through traffic, that is to say, from the payment of tolls by persons who are strangers and not ratepayers in the parishes? Is it worth while to keep up, side by side in the same locality, a double set of officials—a double expense for practically the same object, and an irresponsible instead of a representative management? For bear in mind, that as soon as you shift this burden from the tolls to the rates, you apply the principle of representation following taxation, and you give to the parishes a power and an interest in the control of expenditure which they do not now possess. But, Sir, it is frequently urged, as an argument in favour of the present system, that those who use the roads should pay for them. I respectfully submit that this is a result which is not obtained under the system of toll-gates. I say nothing of the fact that all those who walk equally use the roads and pay nothing; but a very large percentage of the riding and driving public constantly evade tolls by means of lanes and byways, and whilst the expenses of parishes which have to repair such lanes and byways is thereby increased, you cannot, by possibility, place your toll-gates in such a position as to render the incidence of this tax just and equal. Besides, if the argument is worth anything, that those who use the roads should pay for their maintenance, it is equally applicable to the case of highways; and yet every person who rides or drives is using highways, to the repairs of which he contributes nothing, the very moment that he passes the boundary of the parish in which he happens to live and to be rated. It must also be borne in mind that the existence of a good road must, more or less, benefit a parish and improve the value of its property. In many instances, too, these turnpike roads were originally highways, and in all such cases the parishes would only be reverting to that common law liability from which they have for many years been relieved at the expense of the public. But, Sir, it is said that great injustice will arise in the case of roads in the vicinity of large towns—of coal-mines, of ironworks, and of manufacturing establishments, whose heavy traffic will tear up the roads which country parishes will have to repair. It must not, however, be forgotten that the very existence of such places is of enormous advantage to the neighbouring parishes—supplying their local wants, employing their surplus labour, and immensely improving the value of their property. In many instances, too, the increase of railway accommodation has removed or lessened the heavy traffic complained of; and, acknowledging as I do that there may be some cases of hardship, where through traffic from town to town really exists, or from other particular circumstances, I propose to give power to the justices in quarter sessions to grant contributions from the county rate in aid of the rates of any parish or parishes which shall appear to them to be unduly enhanced by the operation of this Act.

Sir, I have prepared a summary of the Bill which I propose to introduce, and perhaps it will be a convenient course that I should now read it to the House. First, I propose that all trusts out of debt, excepting those which are scheduled to expire on the 1st November in the present year, shall expire on the 1st November, 1868. I propose that, where the Highway Act is in force, the repairs of the roads within the district, and the debt, where debt exists, shall be charged upon the district fund, with power given to maintain toll-gates during the continuance of the trust, the proceeds being firstly applicable to the expenses of such gates, and the liquidation of debt as hereinafter provided. Where the Highway Act is not in force, I propose that the repairs shall be borne by the parishes, as is the case under the existing law, according to the mileage of road in each parish, with power to justices in quarter sessions to contribute from the county rate in aid of the rates of any parish which shall appear to them to be unduly enhanced by the operation of this Act. Then, with respect to the termination of trusts now in debt. The trustees of trusts whose Acts have expired, and of other trusts when their Acts expire, shall endeavour at once to make an arrangement with the creditors of the trust, and communicate the result to the Home Secretary on or before the 1st March, 1868, in the first case, and in other cases, on or before the 1st March in the year following the expiration of the trust—notice of the proposed arrangement to be advertised in at least one newspaper circulating in the district, prior to the transmission to the Secretary of State. This is to give the local authorities and the public an opportunity of objecting if they please. If such arrangement is approved by the Secretary of State, he shall forthwith, but not before the 31st March (so as to give time to any objecting party to represent his objections to the Secretary of State), issue an order confirming the same, fixing a date for the termination of the trust, authorizing the continuance of toll-gates upon the conditions stated above, in cases where an annual sum is to be paid to the creditors, and stating such sum, or, otherwise, stating the sum agreed upon to be paid in full discharge of the principal of the debt. In cases where the Highway Act is not in force, the order is to apportion the debt among the parishes of the trust according to the rateable value of each parish, and the income of the tolls in like proportion. Where no arrangement is announced to the Secretary of State on or before the 1st of March, he is to ascertain the marketable value of the debt, and to issue an order as above, naming an annual sum to be paid to the creditors during the existence of the trust. In all cases the basis of any such sum shall be the average surplus revenue which, during the three years ending December 31st, 1866, shall have been annually applicable to the payment of interest and principal of debt. Upon the issue of any such order of the Secretary of State, the duties and powers of the trustees are at once to terminate, and the trusts and trust property to be transferred to the local authorities. "Local authorities" I interpret to mean highway districts, where such exist, Local Improvement Boards, and parish vestries in other places. No order shall extend the duration of any trust beyond the term of ten years from the 1st November, 1868, and those trusts whose Acts extend beyond such term are not to be extended beyond the limit of their present Acts. Then I give power to local authorities to borrow money to pay off debts; or if the debt can be extinguished by voluntary subscriptions or sale of property, prior to the date named for the expiration of the trusts, to obtain a certificate of the fact from the Secretary of State, and to remove toll-bars. The only other clause with which I need trouble the House is that which relates to compensation of officers. Last year I received at the Home Office a large deputation upon this subject, and, after much consideration, I agreed to insert in the Continuance Act a clause giving power to trustees who, upon the termination of their trust, should have balances in their hand, to compensate at their discretion any clerks or surveyors whose offices were about to be abolished, provided that such officers should have served for ten consecutive years before the expiration of the trust, and that the amount of compensation should in no case exceed the amount of three or four (I forget the exact figure) years' salary. When the right hon. Gentleman came to the Home Office, he declined to adopt this clause, which he had not sufficiently considered. But when the Bill was before the House, the hon. Member for North Warwickshire (Mr. Newdegate) moved my clause in Committee, and, after some discussion, it was carried by the unanimous vote of the House. It was, however, lost in the other House; and I now propose to introduce it in this Bill, giving to the trustees, with consent of the Secretary of State, power to compensate, in the same manner, and under the same conditions.

I hope the House will see clearly the principle upon which I desire to act. I wish at first to court an amicable arrangement of the debt at once between trustees and mortgagees, and I bring in the Secretary of State to see that the public is not wronged in any such arrangement. Failing such arrangement, I bring him in as the arbiter between the two parties. Under the present law he has this power practically at his option when the trusts expire, and I desire to enforce and expedite his action. Of course, the details of the measure, if I am allowed to introduce it, will be better understood when the Bill is printed. The first great advantage which I anticipate is the reduction in all cases, and the abolition in many, of the enormous expense of collection and management. Then, by dispensing with the necessity of an annual Continuance Act, we shall get rid of the element of uncertainty, and persons interested in trusts will know for certain the date at which the trust will positively expire. I have fixed the date beyond which trusts may not be continued at ten years from the 1st of November, 1868, but in most cases I hope a much shorter time will be sufficient. I may state for the information of the House, that, setting aside a few trusts which may have been renewed during the last two or three years, there are 311 trusts, limited as to time, whose Acts have not yet expired, and of these all but twenty-one will have expired before November 1st, 1878. So that any inconvenience to localities from the circumstance of one trust being abolished whilst an adjoining one remains, will decrease year by year, and in a dozen years' time will be almost entirely at an end.

I will not detain the House with allusions to other schemes which have been proposed for dealing with this question. There are great objections made to the proposal to charge these burdens upon the county rates, and I do not think that Parliament would sanction an attack upon the Consolidated Fund. If Parliament should agree to this Bill I believe it would be found to work well. If I have not sufficiently dwelt upon the disadvantages of the present system, it has been from a sincere desire not to weary the House with matter which any Member may collect for himself from the Reports of our Select Committees. The Committee of 1836 condemned the present system. The Committee of 1864 confirmed that condemnation, and dimly shadowed forth some portions of a future arrangement. I venture to go one step further, and to propose a definite plan. If the Government and the House should think it best to refer this Bill to a Select Committee, it will not be for me to raise any objection. I have endeavoured to state my views to the House clearly and intelligibly, and if I have presumed too much in dealing with this subject as a private Member, I can assure the House that my sole motive has been to promote, so far as I might be able, such a settlement of the question as may tend to the public advantage. He moved for leave to bring in the Bill.

MR. SCOURFIELD said, it was exceedingly difficult to determine fairly how roads should be repaired. It must be either by rate or by tolls, and rates were most popular, because it was always most agreeable to put your hands into the pockets of others. No doubt, the principle of tolls was that every person should pay for that which he had, and in that view tolls were more just than rates. If a system of tolls could be devised for London, it would be more just than throwing the burden of the maintenance of the roads on the inhabitants; but practical reasons prevented it. Where difficulties could be obviated, tolls were in many cases preferable. In the district with which he was connected the system worked with great satisfaction. The tolls could be collected every seven miles, and persons did not feel that they paid more than they ought to pay. The hon. Gentleman had approached this subject much more effectually than the Committee. He objected to a Committee condemning a system while they dimly shadowed forth a remedy. There were some difficulties connected with the plan recommended. For instance, it would be a troublesome office for the quarter sessions to decide the amount of subventions from the county rate to be applied to a particular parish. Again, there would be objections to the continuance of tolls to pay off debts and the yearly gate expenses, and not for the maintenance of the roads which for the time would fall on the parishes. He had some experience of the "Rebecca" riots in Wales, one of the causes of which was the levying of tolls for debts, and not for the repair of the roads; and such an arrangement would be very difficult to manage with satisfaction. The system adopted in Wales, which did not, however, involve the total abolition of tolls, worked extremely well, and he should be glad to see it extended. No doubt all payments were excessively disagreeable. It was a very serious matter to impose a rate of 4*d.* in the pound in many parishes, as they might know, for if they attempted to impose 1*d.* or 2*d.* on the income tax, such a proposition would endanger the Government. The problem was in some way to provide that the persons who used the roads should pay more than those who did not use them. In the Isle of Man there were no gates, and the roads were maintained by a tax on wheels; but such a solution of the problem might not be feasible in this country.

MR. READ said, the hon. Gentleman had earned the gratitude of the House by the way in which he had attempted to grapple with the subject. Nothing could be worse than the present state of the law, under which turnpikes were yearly dying out, and grievous burdens were being inflicted on some parishes, for, although much through traffic had been diverted by railways, there remained a vast amount of traffic between country towns. In the county of Norfolk there was only one highway district, and the ratepayers were endeavouring at the next sessions to extricate their necks from the ropes cast around them. He objected to permissive Bills, believing that what was good ought to be enforced on the country. He would go so far as to say that all the roads in a district should be made chargeable to a common fund, just as the poor were chargeable to the common fund of a union.

Mr. SCLATER-BOOTH said, he joined in congratulating the hon. Gentleman on bringing forward this measure, which showed that he understood the subject, and had mastered its details, though he was inclined to think that he rather underrated the difficulty of the task which he had undertaken. He believed that when they got into Committee upon the Bill there would be raised many objections which it would be very difficult to meet. He (Mr. Sclater-Booth) was a member of the Committee of 1864, and he found the difficulties of the question to be very much greater than he had anticipated, and that was the reason why, whilst the Committee condemned the present system, they found it impossible to arrive at a decision as to what should be the remedy. Permissive legislation was objectionable as casting odium on those by whom it was carried out. He thought that it would be extremely objectionable to keep up the tolls at the same time that the cost of repairing the roads was cast upon the parish. He also thought that it would be found impracticable for the quarter sessions to grant rates in aid to particular parishes. He looked forward with great interest to know what were the precise provisions of the Bill, and should be sincerely glad if the matter could be successfully dealt with.

Sir ROBERT ANSTRUTHER said, he thought that any one who had taken an interest in the subject must have heard with great satisfaction the ability with which it had been handled by the hon. Gentleman, who must be prepared to meet with considerable opposition. This was a mere question between supporting the roads by rates or by tolls. He agreed that in large towns the toll system was unjust, and was only approved of by the man who lived on the lucky side of the gate. Every man who lived on the right side a toll-bar was glad that it should continue; but the man who unhappily lived on the wrong side had to pay not only for himself, but also for his friend on the other side. The inequality of the incidence of the present system could not be defended. It was a very proper desire that those who used the roads should pay for them; but the fact of the case was, those did not pay for the roads who used them. An immense number used roads without paying for them, and those who did pay for them paid for them twice over. He regretted that no measure for the reform of roads in Scotland had been brought in by Government, because the system under which the roads were managed in that country was altogether effete and obsolete, the expenses of management and of collection amounting to between 25 to 30 per cent of the gross receipts. The system adopted in the Isle of Man of levying a rate upon wheels was equally unfair with that now in force in England. It should not be forgotten in discussing this question that pedestrians were interested equally with the owners of vehicles in the proper repair of the roads; and therefore it was not fair to throw the whole burden of the expense incurred in keeping the roads in a good condition upon the latter. It would be found on grappling with the roads debt that it was much less than was generally supposed, since a large portion of it brought no benefit to the creditors. Those who were interested in road reform would wish success to the hon. Member's measure.

Mr. GREENE said, that before the hon. Gentleman could expect to obtain the support of the Gentlemen of the different counties, he must suggest some method by which a portion of the expenses of repairing the roads might be borne by some common fund. The occupation roads might be repaired by the different parishes, and the expense of repairing the main roads between large towns and other parts of the country might be thrown upon some general fund.

Mr. WALPOLE said, he wished to express his thanks to the hon. Member for Sandwich for the lucid manner in which he had introduced this subject to the notice of the House. The question for decision was whether the expense of repairing the roads was to be met by rates or by tolls. When it was decided that tolls were to be done away with, and that the expense of repairs was to be met by a rate, the question would arise over what area that rate was to be extended. The three modes of raising the rate which had been suggested—namely, by a county rate, by a highway district rate, and by a parochial rate, had been distinctly condemned by the Committee of 1864, who suggested that the trusts might be watched and gradually got rid of from time to time as the debts upon them were extinguished. In his opinion this question could never be properly grappled with until the Permissive Bill for the highway districts was turned into a compulsory Act, and the charge of the turnpike roads, as well as of the highways, was thrown upon the highway districts. If that object could be accomplished, the question might be brought to a speedy and satisfactory termination. As to the trusts which had debts still unpaid, he feared that if his hon. Friend endeavoured to cast upon the parishes the burden of their debts, as well as the maintenance of the roads, he would hardly be able to pass his Bill. He did not quite understand the proposal as to a subvention from the county rate, yet that was a matter which would require great consideration, as it would involve the transfer of a burden from one place to another, which was not a proper mode of dealing with such a question. It was said that these burdens should be thrown upon the parishes; but many rural parishes did not benefit by roads which ran through them nearly so much as the people of adjoining towns. He had no wish to discuss the Bill at the present moment; but he thought that a discussion upon the second reading of the Bill would be useful. He hoped that when the Bill again came on for discussion, those Members who took a great interest in this subject would be able to devise some means by which the trusts might be gradually got rid of. The hon. Member had stated it to be his intention to propose, after the second reading of the Bill, that it should be referred to a Select Committee. On behalf of the Government, he had no hesitation in giving his sanction to such a proposal, as he believed great good would result from its being carried into effect.

Mr. AYRTON said, he had been consulted by the hon. Gentleman when the Bill was being prepared, and he desired to say a few words upon the points that had arisen in the course of the discussion. It was, of course, difficult to explain all the details of the measure at this stage of the proceedings; but he believed that when the Bill was in the hands of hon. Members it would be admitted that it grappled successfully with the difficulties of the case. The proposal was not to throw the debt of trusts on parishes which had to maintain the roads, but to provide that if parishes undertook a debt equal to that now distributed among the creditors, they might assume the trust and be repaid out of the produce of the tolls. He justified the county contributions, because there were many roads which formed the communication between remote parts of the county and large towns, but were now of little use to the parishes through which they passed. The right hon. Gentleman had entirely misapprehended the proposal with reference to dealing with any existing debt. Of course it would be idle to throw a debt upon a parish, and at the same time to make that parish bear the expense of maintaining the roads. But it was an injustice to compel those who maintained their own roads to pay turnpike tolls. The struggles that often took place in that House for the maintenance of trusts where a debt of a few hundred pounds existed, were not for the benefit of the public, but were fostered by professional people for their own benefit. In the metropolis all the turnpikes had been got rid of; but it was a great injustice that persons residing in the country were at liberty to drive into the metropolis at the expense of the inhabitants who maintained the roads, whereas Londoners driving into the country were at once beset with turnpikes, and had to pay tolls in order that the roads might be kept up in all the surrounding districts. Indeed, the number of roads maintained by the ratepayers was now so great that the continuance of turnpikes at all was an injustice. The present system had gone on a great deal too long, and ought to be altogether abolished; and he thought the present measure would meet a great variety of circumstances, and would, though not immediately, bring about the total abolition of turnpikes. It was not sought to effect that end at once and violently, but to deal with each particular case as it arose in a quiet and temperate manner.

Mr. KNATCHBULL-HUGESSEN said: I will not repay the House for the kind indulgence with which they have heard me to-night by detaining them with any lengthy reply. There are only three observations to which I desire to allude. My hon. Friend the Member for Haverfordwest (Mr. Scourfield) has mentioned the difficulty there will be in asking the quarter sessions to adjudicate as to the granting aid to parishes from the county rate. I am quite aware of it. But the whole question is surrounded with difficulties; and, to be quite frank with the House, I hope and expect that one result of calling the attention of the quarter sessions to this matter will be the adoption of the Highway Act in many places where it has not hitherto been adopted, and the demonstration to parishes that by adopting this Act the area of their rating will be extended, will, I hope, render the adoption of the Highway Act more popular than it now is with some of the agricultural ratepayers. The right hon. Gentleman (Mr. Walpole) says that the Select Committee of 1864 negatived the parochial rate. I had forgotten the fact for a moment; but let me remind him that the present law throws the repairs of those roads upon the parochial rates when the trusts expire; so that now, unless they obtain, at great expense, a new Act of Parliament, it is practically only by the arbitrary power of the Secretary of State that the trust is maintained and the roads kept from the parochial rates. This is a great responsibility upon the Secretary of State, from which I wish to relieve him. But I wish the House to note carefully one expression which fell from my right hon. Friend. He said that he feared "we should never deal satisfactorily with the subject until the Highway Act was made compulsory." Well, Sir, I rejoice to hear the opinion of my right hon. Friend, and when we go to our Select Committee I hope that he, or those who are authorized to speak for him on that Committee, will make a proposition in accordance with that opinion. Upon that and every other point I shall be most ready to receive and adopt suggestions for the improvement of the Bill, and I trust out of that Committee we may produce a useful and satisfactory measure.

Motion *agreed to.*

Bill to alter and amend the Law relating to Turnpike Trusts, *ordered* to be brought in by Mr. KNATCHBULL-HUGESSEN, Mr. GEORGE CLIVE, Mr. AYRTON, and Mr. GOLDNEY.

Bill *presented,* and read the first time. [Bill 80.]

NATIONAL GALLERY ENLARGEMENT BILL.

LEAVE. FIRST READING.

LORD JOHN MANNERS moved for leave to introduce a Bill to make further provision for the enlargement of the National Gallery. He said, that under the arrangement sanctioned by Parliament last year, the right hon. Gentleman the Member for Hertford (Mr. Cowper) hoped he should be able to purchase by private contract the property to which this measure referred—namely, Archbishop Tenison's school and the parochial schools of St. Martin. Difficulties, however, had arisen, and it was necessary to pass the Bill awarding compensation to the owners, which he now moved for leave to introduce.

Motion *agreed to.*

Mr. Knatchbull-Hugessen

Bill to make further provision for the enlargement of the National Gallery, *ordered* to be brought in by Lord JOHN MANNERS and Mr. HUNT.

Bill *presented,* and read the first time. [Bill 82.]

PUBLIC-HOUSES, &c., BILL.—LEAVE.

FIRST READING.

MR. GRAVES said, he rose for the purpose of asking for leave to introduce a Bill for the better regulation of public-houses, refreshment-houses, and beer-houses.

MR. SPEAKER: It is necessary that a proposition for a Bill of this nature should be first brought forward in a Committee of the Whole House.

Acts read.

Motion made, and Question proposed, "That this House will immediately resolve itself into a Committee to consider of the Acts relating to Public Houses, &c."

MR. ROEBUCK said, he would move an Amendment that the House go into Committee that day six months.

MR. SPEAKER said, the hon. and learned Gentleman could not do so. The Amendment should have been proposed before the Question was put from the Chair.

MR. ROEBUCK: I was listening as attentively as I could, and I was not aware that you put the Question. I should like to have an opportunity of moving my Amendment, and I think I ought to have it.

MR. SPEAKER said, that if there had been any misunderstanding, and if the Motion was to be opposed, the better course would be that the hon. Member for Liverpool (Mr. Graves) should make his statement, and that the Question should be put again.

MR. GRAVES said, that in consequence of the objection which had just been made in so unusual a manner to the granting leave to introduce this Bill, he would meet the case as it stood. On that day week, when he was about to make a Motion similar to that which he had now placed on the paper, he was met by an intimation from the Speaker that it was doubtful whether the subject was one which a private Member was competent to deal with. On the intimation being made he immediately withdrew that Motion, and having since had the benefit of advice from the Speaker he had been encouraged to proceed with the present Motion, which he had learnt was not contrary to the rules or the practice of the House. Looking at the frequent discussions on the subject which had taken place in that House and the great interest which attached to the question out of doors, he thought it might be taken for granted that a very deep conviction existed that the time had arrived when a better system of licensing ought to be established. He knew no question more important than that to which he was about to draw the attention of the House, both as regarded the magnitude of the trades involved and its indirect bearing on the social and moral welfare of the great masses of our population. He was sure that, notwithstanding the objection taken on the very threshold of the inquiry by the hon. and learned Member for Sheffield (Mr. Roebuck), any proposal which would lead to a thorough discussion of this great subject would be received with satisfaction by the House. It was not his intention to enter on the present occasion into any lengthened explanation of the main features of the Bill, because that could be much more conveniently done on the second reading. Its main features would be found to be in harmony with the recommendations of the Committee of 1854, and with the provisions of the Bill which some two years ago was introduced into that House at the request of the licensed victuallers of Liverpool. The present Bill was not a private Bill. It recommended uniformity of licence; that it should be in the power of the justices alone to grant such; that all applicants must be of good character; and that all such applicants should have a right to receive a licence, subject, however, to a veto on the part of the owners or occupiers of the houses in the neighbourhood of the applicant; that there should be a minimum of Excise duty, with a minimum rating qualification, but subject to a reduction in the duty if the house were closed on Sundays; that there should be a limitation with respect to the hours of opening, with power to the local authorities in the different boroughs to make still further restrictions. There were also certain saving clauses in the Bill with regard to existing privileges. He would not say that this Bill was all that could be desired in dealing with an important and a complicated question; but it was an effort as far as it went; and he hoped the House would allow it to go into Committee and be there considered. It had been framed by the magistrates and the corporation, and was supported by the inhabitants of Liverpool. If the House permitted the Bill to be introduced, it was his intention to fix the second reading for a distant day, so as to enable his Colleague (Mr. Horsfall) to resume the conduct of the Bill, and to give the House a full opportunity for its examination. He now moved that the Speaker leave the Chair.

MR. ROEBUCK said, that his object was to learn the intentions and views of the Government on this question. It was a large one, and affected many interests which had grown up and been fostered by Acts of Parliament. It was also a question which largely affected the public morality. There was a class of persons called teetotallers, who supported permissive Bills in order to put down the sale of intoxicating liquors. But the Bill of the hon. Member was advocated by a different class, for it went to establish a free trade in liquors. The wisdom of Parliament had always made a distinction between the sale of commodities that were harmless and those that were not so. A bale of cotton might be passed from hand to hand without danger, and no restrictions were placed on its sale. But it was different with gunpowder. And so with regard to the sale of intoxicating liquors, which affected the public morality. Parliament had interfered for centuries, and under this interference or sanction of Parliament there had grown up large interests which this Bill went directly to affect. No private Member ought to be permitted to do this. The Government ought to take up the question, and tell the House what they intended to do. He wished to know from the right hon. Gentleman (Mr. Walpole) whether the Government, who must know what was the object of the Bill, were prepared to support it. If they were not he would withdraw his opposition; if they were, he would go to a division. He believed the noble Lord the Secretary for Foreign Affairs (Lord Stanley) was prepared to support this Bill. ["No!"] He was glad to hear that. He had thought from some part of the noble Lord's remarks, as chairman of quarter sessions, that he was in favour of free trade in intoxicating liquors. For himself, he was entirely opposed to it. He was also opposed to the permissive Bill of the teetotallers; but he was prepared to support a judicious intermediate action between these two extremes. He wished, therefore, that the right hon. Gentleman would explain to the House what course he intended to take in this matter, and for that purpose he moved that the House go into Committee that day six months.

Amendment proposed, to leave out the word "immediately," and insert the words "upon this day six months," — (*Mr. Roebuck,*)—instead thereof.

Question proposed, "That the word 'immediately' stand part of the Question."

Mr. POWELL said, that at any rate he thought the House ought to go into Committee to allow the hon. Member to introduce his Bill. Their present system of licensing consisted of two parts, each inconsistent with the other, and neither satisfactory. He would not say what was the right system to be adopted, but this he knew—that the country was greatly dissatisfied and disgusted with the present system. Our restraints had broken down, and if we intended to diminish drunkenness we must adopt some other means of doing so. Therefore he thought they were bound to go into Committee and consider the present proposal. It deserved so much of support if it were only for the way in which it proposed to deal with the liquor traffic on Sundays. At present every one who took out a licence was bound to keep open all the seven days of the week. He thought it would be a great improvement if the parties had the option of only taking out a licence, with a proportionate reduction for six days. It had been tried with the cabs, and found to work advantageously, and he saw no reason why it should not be equally beneficial in the case of public-houses.

Mr. PEASE said, that a short time ago he put a question to the right hon. Gentleman the Home Secretary, whether he had the licensing system under his consideration, as he understood the right hon. Gentleman to say that he had. He was not aware the hon. Member (Mr. Graves) had intended to bring this Bill before the House. A friend of his (Mr. Lawson), the late Member for Carlisle, had also brought the question before the House a few years ago, tending to show the dissatisfaction with the present system. There were great anomalies in the present licensing system. It was a great hardship on licensed victuallers to have to apply year after year for a renewal of their licenses to benches of magistrates differently constituted. It sometimes occurred that a man applied in vain year after year for a license, but ultimately obtained it on the same grounds as those which he had originally urged. The magistrates in one town proceeded on a different system from that acted on by the magistrates in another town. Thus, the Liverpool magistrates thought it their duty to grant licenses to all persons who applied for them, provided that the applicants were fitted to keep a licensed house; but the magistrates of Manchester exercised a discretion as to the number of licenses. The amount of drunkenness in Liverpool, with a population very nearly the same in number, though of a different character, was nearly double that in Manchester. He thought it would be useful to have his hon. Friend's Bill discussed; but he hoped the Government would bring in a general measure.

Mr. WALPOLE: Sir, the hon. and learned Member for Sheffield (Mr. Roebuck) having made such a direct appeal to me on this subject, I will give the House the reason why we think we ought to accede to the Motion of the hon. Member for Liverpool (Mr. Graves) to go into Committee. It is a matter of courtesy to allow a Member to introduce his Bill. It is the usual, though not the invariable rule of the House that any Member who wishes may introduce a Bill and lay it upon the table of the House. That is a very convenient practice, for it gives a Member an opportunity for explanation at a further stage; it allows him to introduce the question he wishes to bring before the House in the most convenient form for discussion. That being so, my hon. Friend asks us to go into a Committee of the Whole House on a most important subject. The object of going into Committee is that leave may be given him to introduce a Bill for the better regulation of licenses, for the sale of wine, spirits, and beer. I mentioned the other day, as the hon. Member for Durham county (Mr. Pease) has just reminded the House, that proposals relating to this question have come before me from various sources, which it was my duty to consider. It will be for the general advantage if the same questions are brought before the House. I may state that I have formed an opinion on the subject, and when the proper time comes I shall be prepared to give my opinion. I have made up my mind as to the kind of measure that ought to be introduced; but I am not prepared to introduce it till I have consulted with my Colleagues, and till I see that the state of the public business will allow me to make progress with it. Still, as my hon. Friend (Mr. Graves) wishes to go into Committee of the Whole House on an important measure, I think the House is bound to afford him an opportunity.

MR. W. E. FORSTER said, he hoped the House would not refuse to give the hon. Member for Liverpool (Mr. Graves) an opportunity of bringing in his Bill, though he should oppose some of its provisions. The licensing system was in a very unsatisfactory state; and there was no place in which that was felt more than in Liverpool. Last year the persons responsible for the maintenance of the peace and morality of the town felt themselves constrained to attempt to deal with the evils by which they were confronted, by means of a private Bill. The majority of the House of Commons, of whom he had been one, would not allow such a precedent to be established. But now that the measure again made its appearance in an unobjectionable form, and that the Bill no longer embodied the expression merely of the opinions of the people of Liverpool, great cause for complaint would exist if it were hastily rejected. He quite agreed that the question was one which the present or former Governments ought to have taken up. The right hon. Gentleman the present Home Secretary (Mr. Walpole) had proved in time past his desire to meet this question. He believed that the expression of opinion throughout the country necessary to carry a Government measure upon the subject would be much encouraged, by taking a preliminary discussion upon the Bill now proposed.

MR. ROEBUCK said, that having attained his object he would withdraw his Amendment.

MR. GRAVES said, that the rate of licences would be higher in Liverpool; but he could not say what would be the effect of the Bill with regard to other places.

MR. WALPOLE said, it would not be competent for the hon. Member for Liverpool to fix by his Bill the rate to be paid for licences without the consent of the Government.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Acts *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for the better Regulation of Public Houses, Refreshment Houses, and Beer Houses.

House *resumed.*

Resolution *reported:* — Bill *ordered* to be brought in by Mr. GRAVES, Mr. HORSFALL, and Mr. HIBBERT.

Bill *presented,* and read the first time. [Bill 83.]

HOUSES OF PARLIAMENT BILL.

LEAVE. FIRST READING.

LORD JOHN MANNERS moved for leave to bring in a Bill to authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire lands for the purpose of the new Palace at Westminster, and to construct an Embankment on the North shore of the River Thames, in the parish of St. John the Evangelist, Westminster. He said, that for the last few years a continual nuisance and danger had been experienced from the state of the premises near the Victoria Tower. It had been strongly recommended by the Commission of 1863 that the premises should be purchased by the Government, and that the embankment of the Thames should be carried along their site. He might mention that no later than last summer an attempt had been made to blow up that portion of the palace, and that, as lately as the 19th January last, a gas engine had exploded in the straw yard abutting on the Victoria Tower. These buildings would be pulled down, and on the western extremity of the land so acquired it was proposed to erect a handsome range of houses, and the money which would be derived from the sale of that portion of the ground was expected to largely compensate for the cost of purchasing the property. Under these circumstances, he thought the House would not object to the introduction of the Bill.

COLONEL SYKES said, he wished to inquire what number of houses were included in the Bill; and whether any estimate had been made of the money required for their purchase?

LORD JOHN MANNERS said, that if the hon. and gallant Colonel would look at the Estimates he would find a full account of the proposed expenditure. The sum total was £175,000, of which £30,000 would be proposed during the present year.

MR. HENDERSON said, that the Bill would provide a protection against what might be a national calamity. Some time ago he had visited the premises, and within twenty yards of the Palace he saw a coal yard, at the foot of which were two barges loading gas tar. In an adjoining yard there were 200 or 300 tons of straw, between which and the gas tar a man was smoking. A spark from his pipe might have caused a conflagration, which if the wind had been in a certain direction would have reached the Palace.

Motion *agreed to.*

Bill to authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire lands for the purposes of the New Palace at Westminster, and to construct an Embankment on the North shore of the River Thames, in the parish of St. John the Evangelist, Westminster, *ordered* to be brought in by Lord JOHN MANNERS, and Mr. HUNT.

Bill *presented,* and read the first time. [Bill 81.]

CASE OF MR. CHURCHWARD.

MOTION FOR AN ADDRESS.

MR. TAYLOR said, he rose to move that an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions for the removal of Mr. Churchward from the Commission of the Peace for the Borough of Dover. He had no special connection either with Dover or the county of Kent, nor had he any ill-feeling towards the person whose conduct he impugned, and until a communication was made to him a week ago, he had no knowledge of that gentleman. In the communication which he received from Dover he was told that the people of Dover felt themselves injured and insulted—he used their phrase without endorsing it—by what they termed "an atrocious job," which had placed on the bench of magistrates at Dover a person whose political misdoings had been recorded again and again in the votes of the House, and were enshrined in the deliberate and solemn Report of a Commission. He felt it his duty to look into these assertions, and to search the records of the House where the facts were to be found. Having done so, he thought it his duty to address a question to the right hon. Gentleman the Secretary for the Home Department, but did not place the question on the paper without some misgivings and doubts. He said to himself, "Is it conceivable, if the facts are as stated, that any Government would recommend Her Majesty to nominate any such person to the commission of the peace?" He fancied that he might find some commixture, some confusion of names and dates, and be thrown over at last. He thought that if any Government could not have ventured on such a course of proceeding, the present Government would have been the last to do so—that a Government which occupied so peculiar a position in relation to the majority of the House would have been the last Government to deprive themselves of all the characteristics which were supposed to be inherent in what was vulgarly known as a new broom. Was it conceivable, he thought, that Her Majesty's Government, the head of the great Tory party in this country—that party which within one year had refused even to entertain a Reform Bill unless in its four corners there were stringent and effective clauses against bribery and corruption—that party which at the beginning of the Session had before it the Reports of four Commissions relating to certain boroughs which they now proposed wholly to disfranchise, innocent and guilty together—was it conceivable that such a Government could have made such a recommendation? Under those circumstances, could it be conceived that Her Majesty's Government actually recommended Her Majesty to place on the commission of peace at Dover a gentleman who had been reported by a Committee as guilty of bribery? When he asked the right hon. Gentleman the Home Secretary the question he put to him on a previous occasion he did so with fear and trembling, for he thought he might find himself, to use a familiar phrase, "thrown on his back." He believed, and he said it with all sincerity, that there was not a man on either side of the House who would have felt more pain and disgust than the right hon. Gentleman the Home Secretary to be obliged to give the answer he was compelled to give, which amounted to an admission that Mr. Churchward was the man against whom these heavy charges had been substantiated before the tribunal he had mentioned. The only qualification to that admission was an appeal *ad misericordiam* with regard to the Report of the Committee of 1853. The right hon. Gentleman stated that his noble Friend the Lord Chancellor, until he saw his (Mr. Taylor's) Motion on the paper, was unaware that there was any stain whatever on the political reputation of Mr. Churchward. He (Mr. Taylor) must say that the Colleagues of the noble and learned Lord had behaved with great unkindness, if not unfairness, to him, because it could not be doubted that many of them were but too well aware of the facts of the case. They all knew that—

> "Where ignorance is bliss 'tis folly to be wise;"

but this bliss was a stolen pleasure which was not permissible in the case of men who discharged high political functions and duties, and who, in discharging them, were bound to exercise certain responsibilities. Among them was the responsibility of not being unaware of that which was sufficiently well known to all the world besides. It happened, with some singularity, that there was a case absolutely parallel with the one before the House. All the circumstances were the same, the same Lord Chancellor and the same Home Secretary being concerned in it, and the only thing which was not the same was that the right hon. Gentleman opposite on that occasion—in 1858—said his noble Friend would instantly proceed to undo the mischief that had been done. The case was that of two persons who had been appointed to the commission of the peace in Canterbury, and who had previously, as in this case, been reported by the Commissioners as having been guilty of bribery. A complaint was made by the hon. and learned Member for Southwark (Mr. Locke), and the right hon. Gentleman (Mr. Walpole) then said—

> "His noble Friend (the Lord Chancellor) was not in the least degree aware that the names of either of those persons were in the schedule of the Commissioners' Report to which reference had been made. The moment the case was brought to his attention, he caused inquiry to be made, and finding that the parties were the same, he instantly sent down to Canterbury to say that he should require both those gentlemen to resign."—[3 *Hansard*, cl. 264.]

He (Mr. Taylor) asserted as a fact—if he were mistaken he should be open to correction—that in September last there was a proposal to place this Mr. Churchward upon the county bench of magistrates in Kent. When that was known a special meeting of the Wingham division of magistrates was called, and largely attended by gentlemen principally belonging to the Tory party, and they sent up an official protest to the lord-lieutenant of the county against that nomination. The result was that no more was heard of that matter. The next time Mr. Churchward turned up he was in the borough of Dover, and it was said that the noble Lord had received recommendations with regard to him which he was bound to entertain. He (Mr. Taylor) wished to know whether they were the usual recommendations from the mayor, aldermen, and common council of the borough? Having asked his question of the right hon. Gentleman, and received the answer he did, he was bound to take this further step by putting this Motion on the paper. He was also bound to look more closely into the whole transaction to see if there was any defence, palliation, excuse, or diminution of the apparent enormity of the act committed, and he was bound to confess that the more he looked into it the worse it appeared; and it seemed to him that no apology could be offered for it. The Home Secretary, in answering his question with reference to the Report of the Committee of 1853, said it was not quite fair to call what was done simple bribery, because no money was given, but only situations promised. But was that a less evil or crime than the giving of money? In his opinion the offence was multiplied threefold, for it was permanent instead of temporary, and indefinite in extent instead of being defined and limited. The right hon. Gentleman the Home Secretary had not read a certain paragraph in the Report, which showed that Mr. Churchward, by his own admission, had not only obtained twenty appointments, but had sent thirty or forty men into the dockyard, of whom twenty-five were accepted. That possibly explained why the dockyards always rose before them in such unfavourable colours; why everything there cost so much, and why so many of the ills and abuses mentioned by the hon. Member for Lincoln (Mr. Seely) were occurring. If that was the way the dockyards were managed they were not honest yards, where a fair day's work was done for a fair day's wages. They were sinks for used up infamy and hospitals for decayed scoundrels. In 1859 the Committee of Mail Contracts made a Report, in which the following passage occurred:—

> "While most anxious for the fulfilment of all engagements entered into in good faith between the Government and individuals, the Committee submits for the consideration of the House whether Mr. Churchward, in having resorted to corrupt expedients, affecting injuriously the character of the representation of the people in Parliament, has not rendered it impossible for the House of Commons, with due regard to its honour and dignity, to vote the sums of money necessary to fulfil the agreement to extend his contract from the 20th of June, 1863, to the 26th of April, 1870."

That was something much more than a mere formal record placed in the Report that somebody had been guilty of bribery. It stated, in point of fact, that so atrocious and enormous were the political misdeeds which had been committed, that they justified the Committee in recommending the House to absolutely quash and violate the contract with Mr. Churchward, which was ultimately done. That Committee was composed of an equal number of Gentlemen from each side of the House, and the resolutions condemning Mr. Churchward were passed by large majorities, showing that so patent and so strong was the evil proved, that it utterly overrode all those conventional biases which honestly enough would sometimes lead gentlemen of similar opinions to band themselves together on one side or the other. That decision had been three times arraigned in the House, and three times the claims of Mr. Churchward had been decided against, certainly not by very large majorities, as the majorities had been 45 once, then 8, and then 14. But their debates on those occasions were not got up with any idea of whitewashing the character of Mr. Churchward. The question had been simply whether the arrangement with Mr. Churchward was an economical one for the country. So that even if the majorities had gone the other way, and the House had chosen to resuscitate the contract, it would not by its vote have redeemed the character of Mr. Churchward. He would now read a few words spoken in one of those debates by Mr. Cobden, the Chairman of the Committee, whose judgment he had last quoted, and who summed up the case in that concise and masterly manner which was characteristic of him. Mr. Cobden said—

> "Some people argue that we cannot legally refuse to pay the money. Well, then, I would not pay it in any way but a legal way. I quite join with hon. Gentlemen in that view. If they think that Mr. Churchward has a legal claim, let him establish that claim; and for my part I would vote money to enable him to establish his claim —to pay all the legal expenses of a trial—rather than I would agree to grant the money for this contract after the Report of the Committee. What will the public say out of doors? Really, we ought to affect a virtue if we have it not. A Committee of this House reports that a person goes to a public office wanting to bribe a Lord of the Admiralty to assist in bestowing a contract by the most corrupt means. And what is the sort of bribe that is offered? Why, it is the very kind of bribery that ought to be most repugnant to this House. On the one hand, we have before us, as the House of Commons, a case in which an attempt is made upon the virtue of a public functionary, whom we are here especially to superintend and watch; and, on the other hand, the bribe offered us is an attempt to dispose, by corrupt means, of the votes of constituents, in whose purity and independence I should think that we, as the House of Commons, ought to be most deeply interested."—[3 *Hansard*, clxx. 1896.]

This was the case, and he (Mr. Taylor) would leave it now without further comment; comment could add nothing to it; and the reckless exaggeration of a partisan, of which, he was sure, he had not been guilty, would not make the case stronger. There were differences of opinion with regard to the moral sin of bribery and corruption; some thinking that illicit political influence had become really a time-hallowed part of our constitution, while others thought that, however devious and unclean might be the paths by which Members for certain constituencies found their way into Parliament, still, when they reached this House they should be recognised and welcomed as honourable and independent gentlemen, really interested equally with themselves in the good of the country. And, as regarded the constituencies, some might think that when once they went through the ordeal of temptation and a certain fall, they were much the same as other constituencies. He would not discuss those points. But there was one point upon which he thought there would have been no difference of opinion on either side of the House, and that was that however little it might matter comparatively how they formed the House wherein their laws were made, no stain should touch, no blot of suspicion should lie upon those who administered those laws. He had thought it was the boast of this country that whatever might be our political peccadilloes, at any rate the purity of the ermine, the independence and honour of the magisterial bench, could never be impeached. We were in the habit of criticising severely, and perhaps not altogether unjustly, the system in America of electing their Judges for a term of years, and of asking how, under such a system, they could hope to have Judges free from political bias, acting without fear or favour, and beyond all suspicion. Now, he should say that the language which they often heard upon that subject received, in the present case, but a very sorry illustration. There they had a person whose political character was not equivocal, whose political misdeeds had been enshrined in the Report of a Committee, while that Report had itself been endorsed again and again by majorities of that House—they had such a person recommended by the Government to Her Majesty for the commission of the peace—for an office in which he would have to judge without fear, favour, or partiality, and even without the suspicion of being subject to any such influences, the various causes which might come before him, and in which the interests of different classes must be involved. It would be a deliberate poisoning of the fountain of justice at its very source.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions for the removal of Mr. Churchward from the Commission of the Peace for the Borough of Dover."—(*Mr. Taylor.*)

MAJOR DICKSON said, he would not trespass at any length on the time of the House; but he felt sure he should receive its indulgence when he rose, as he then did, to defend the character of a person who had suffered a very grievous persecution, and whom he believed to be an upright and honourable man. He thought he should be neither doing his duty as one of the Members for Dover, nor doing justice to a gentleman whom he had no hesitation in saying in that House he was proud to number among his constituents, if he did not state that he looked upon the attack which had been made upon that gentleman by the hon. Member for Leicester as not only wanton and cowardly, but—

MR. OSBORNE: Sir, I rise to order. The word "cowardly," Sir, is quite unknown in this House.

MR. SPEAKER: The hon. and gallant Member will, no doubt, withdraw that word.

MAJOR DICKSON said, he should be sorry if he had said anything which was contrary to the Rules of the House; but he was about to express his reason for his opinion. He must say that he looked upon that attack as unjustifiable. The House would remember that when he had appealed to the hon. Member in the name of justice to postpone that Motion for a few days only, until certain right hon. Gentlemen could be present who were intimately acquainted with the whole of the facts of the case, and able to bear testimony upon it, the hon. Member refused to accede to so reasonable an appeal. He could not, therefore, compliment the hon. Gentleman on his idea of justice; neither could he share with him the belief that it was right, or proper, or just, to sacrifice the character of an individual to gain a momentary party triumph. The hon. Member had spoken of the decision which was come to by the Committee of 1853; but he had slurred over the second Report of that Committee. He had hardly noticed the fact that the second Report was a complete answer to the first. The hon. Gentleman was as well aware as he was that Mr. Churchward himself had in vain petitioned that House to be heard at its Bar, and examined by counsel. He was also aware that for the last eight years Mr. Churchward had been trying to bring his case before a court of justice, and had always been thwarted by the Government of the day. In 1865 he brought an action in the Court of Queen's Bench, upon the main question, and how was he met? By a demurrer in law, and therefore he was again unable to vindicate his character. The persecution which Mr. Churchward had met with had no precedent in political history. Political spite, he might say, instigated the proceedings of 1859; and political spite, coupled with personal animosity, instigated the proceedings of 1867. The hon. Member for Leicester had told them that he had been asked by the town of Dover to bring that matter forward, and wished them to suppose that Mr. Churchward's appointment had given offence to the whole of that town. [MR. TAYLOR: Not to the whole town, but to individuals in it.] To prove that Mr. Churchward was held in high esteem in Dover he would read to the House an address to that gentleman, which had been signed by all the leading men of the town in the short space of three hours. The address said—

"We, the undersigned inhabitants of Dover, beg to express to you our deep regret at the attack that was made upon you on Friday last in the House of Commons in connection with your recent appointment as a magistrate of the borough. We venture to express our sense of the high estimation in which during your long residence among us you have been so deservedly held by a large majority of the inhabitants, and also of your fitness in every respect to fill the office of a magistrate; and we would desire to express to you our heartfelt wish that you may long be spared to assist in administering justice among us, and promoting all measures tending to the advancement and prosperity of our town."

Well, how did that matter originate? Was it brought forward by a leading Liberal? He could state that a Liberal of distinction and high honour was asked to bring it forward, and he distinctly refused to have anything to do with it. That proceeding had been instigated by a man who was formerly one of Mr. Churchward's servants, who was discharged for some reason into which he need not enter, and who was now actuated by spite towards his old employer. He knew that a gentleman high in station and character, a Member of that House, connected with Dover, and who was known to be an enemy of Mr. Churchward, had declined to make himself the dirty tool and cat's-paw of the hon. Member for Leicester. If the hon. Member was bursting with a desire to expose all political corruption and vice, he need not have gone to Dover to get a case. He need not have gone back fifteen or even eight years, but only about eight weeks, and he would have found sitting on the Benches opposite, almost by his very side, men who had been proved guilty before Committees of that House of conduct ten times as bad as that of Mr. Churchward. Now what, he would ask, were the accusations which were brought against Mr. Churchward? They were two. One of them related to events which had occurred as far back as 1852; the other to some proceedings which had taken place in 1859. In 1853 a Committee of that House had assembled to inquire into the question whether Mr. Mare had been duly elected for Plymouth in the preceding year, and he admitted that when they first met they had arrived at the conclusion that Mr. Churchward had bribed certain individuals at that election by offering them employment. The first Resolution, however, to which that same Committee had come on re-assembling was—

> "That a general belief prevailed at Plymouth, both previous to and at the election of burgesses to serve in Parliament for the borough of Plymouth in 1852, that it was not illegal for a candidate, or his agents, to obtain, or promise to obtain, situations or employment for electors who had previously pledged their votes."

That Resolution entirely removed from Mr. Churchward the odium which the Committee would seem to have cast upon him by their first decision. It should also be remembered that the proceedings connected with the Plymouth election extended over a period of four months, that a Conservative Government was then in power, and he would, under those circumstances, put it to the common sense of the House whether it was not to be expected that the followers of that party were more likely to receive any appointments which were vacant than those who happened to profess Liberal opinions. He would ask the House whether, having taken into account the Resolution which he had just read, Mr. Churchward, after the lapse of fifteen years, was deserving of the special condemnation of his conduct which the hon. Gentleman opposite invited it to pronounce. There was another gentleman, named Mennie, whose name had been brought prominently forward in connection with the election for Plymouth, who had afterwards been made a magistrate. His appointment to that position had been challenged in that House or in the House of Lords; but it was resolved, after the decision arrived at by the Committee, clearing the character of the Conservative agents, that the appointment ought to be allowed to stand. After those transactions, in 1854, a Liberal Government, of which Earl Russell was a member, entered with Mr. Churchward into a contract for the conveyance of the mails between Dover and the Continent, which was renewed by the same Government in 1855. They must, therefore, have supposed that there was no serious reflection on his character. Beyond that, Mr. Churchward had been allowed, unchallenged, to raise a Volunteer Corps in Dover, in which he held a commission. Now, when the House was sitting in judgment upon him, he thought he might without offence ask whether there were any within its walls who, when engaged in the turmoil of a General Election, might not have committed offences as grave as those with which that gentleman was charged. He would say to hon. Members, "let him among us who can put his hand upon his heart and declare that he is without sin cast the first stone." He came next to the year 1859, in which year two Committees sat—the one to inquire whether Admiral Leake and Mr. Nicol had been duly elected Members for Dover, the other to investigate the circumstances connected with the renewal of the mail contract. As to the Election Committee, its Chairman told Mr. Churchward, at the conclusion of its proceedings, in the open Committee-room, that nothing had transpired in the course of the inquiry which in the slightest degree affected his honour or character. He admitted, however, that the second Committee, which he had just mentioned, had come to the decision that Mr. Churchward had resorted to corrupt expedients. It must at the same time be borne in mind that this was a decision which had been challenged, as being entirely contrary to evidence, and with respect to which many distinguished Members of that and the other House of Parliament as well as of the bar entertained the opinion, that on the evidence before them the Committee should have arrived at a different conclusion. It was a decision that had been arrived at altogether upon the evidence of three individuals, and from a conversation which lasted only five minutes. He had always understood that in dealing with evidence it was customary when two persons said one thing and a third something different, to believe the statement of the two rather than that of the single individual. On the occasion in question, however, the Committee felt themselves justified in ignoring the testimony of two gentlemen, and taking instead that of one. The three gentlemen who were in the room in which the conversation to which he was alluding took place were Captain Carnegie, Mr. Churchward, and Mr. Herbert Murray, and he would, in the first place, read to the House the evidence of Captain Carnegie, who said—

> "Mr. Churchward spoke to me on the subject of the pending election for Dover—he made an allusion to his anxiety to obtain the renewal of his contract. Mr. Churchward spoke most freely and openly to me upon the subject of the contract. I thought it the most imprudent and incautious speech that ever came from a man's mouth, and it made so great an impression upon me that I recollect every word of it. He led me to the belief that this contract was to be renewed. That was the impression left upon my mind."

The following was Mr. Churchward's account of the same conversation:—

> "In the course of his interview with Captain Carnegie the word contract was never mentioned. The word contract was never used, and my recollection of the circumstance is perfect."

Mr. Murray said—

> "I do not think the contract was ever mentioned. I am quite quite sure that nothing passed between Mr. Churchward and Captain Carnegie about the contract. I am under the impression that Captain Carnegie is confusing some conversation with him with the one between Mr. Churchward himself and Captain Carnegie. I am quite sure that Mr. Churchward never said those words to Captain Carnegie in my presence."

Now, it was on that evidence, and that alone, that the words "corrupt expedients" were employed. Mr. Murray further stated, that "the extension of his contract was not the price of Mr. Churchward's support to the Government at Dover." Sir John Pakington said that "he had no knowledge of the means by which the Dover election was to be carried." Sir Stafford Northcote said that "political motives had no effect in the granting of the contract." Mr. Corry said that "as far as the Admiralty were concerned, the question was determined by their recommendation to the Treasury on the 24th of February," which was before the alleged statement took place, thus affording a strong presumption that Mr. Churchward could not have used the language attributed to him. Captain Carnegie, moreover, admitted that—

> "Mr. Murray could not have forwarded Mr. Churchward's views at the Admiralty, as before his interviews the question had been disposed of by that Department."

Captain Carnegie added, that it was no discredit to a Government contractor to vote for a Government candidate; and Sir Stafford Northcote further said that he had sent for Mr. Churchward, that that gentleman did not apply to him, and that with him mainly rested the responsibility of granting the contract, which was practically settled before the elections came on. Under all those circumstances, he confidently appealed to the House to say whether the charge contained in the Report of the Committee was not simply implied rather than proved, as would seem to be shown by the fact that upon a confessedly partisan division their decision was ratified only by a very small majority. To show what were the views which were entertained on the point by those men who had the best means of judging of the merits of the case, he would read to the House the letters of a right hon. Gentleman and a noble Lord, who now occupied seats on the Treasury Bench. The first letter was as follows:—

> "42, Harley Street, May 20, 1863.
>
> "My dear Sir,—I must thank you for your note, which has given me much pleasure. It was a great mortification to me to fail of persuading the House of Commons to take a just view of a case which has been so shamefully misrepresented, and I could not but fear that the division was owing to my imperfect statement or ineffective mode of handling the argument. I am truly glad to find that you, at least, give me credit for having done what I could. We shall fight the battle again on the 28th, and I hope with better success, though it is difficult to do away with an impression such as has been produced upon the minds of too many Members. Few will give themselves the trouble to examine and weigh the evidence. If they did, they could hardly resist the conviction that if there was any wrong in the proceedings in 1859 (and I do not think there is clear proof of there having been any at all), it was not wrong done by you, but wrong done to you. This has been my feeling throughout, and I cannot doubt that any impartial person who would take the trouble of carefully studying the facts

with no other desire but to get at the truth would come to the same conclusion.—I remain, faithfully yours, STAFFORD H. NORTHCOTE.
J. G. Churchward, Esq."

The second letter was from the noble Lord the First Commissioner of Works, who said—

"Sir,—I avail myself of the opportunity offered by your letter of the 1st to repeat to you personally and privately that which I said publicly in the House of Commons—my entire belief in your honour and good faith, and my conviction that the finding of the Committee, and the action taken by the Government, therefore, are alike opposed to common sense and common justice. Whether it is still possible to reverse the decision of the House of Commons I cannot presume to say; but if, I will not say your friends, but the friends of honesty, think fit to take further steps in the House, I shall most cordially co-operate with them; and I will anyhow express a hope that, for the future, you will feel that if you have lost a contract through political malevolence you have gained friends, among whom desires to be ranked —Yours very faithfully, JOHN MANNERS.
J. G. Churchward, Esq."

He thought he had now shown the House that there was no good ground for the accusations which had been brought against Mr. Churchward, and that he was, at all events, justified in asking it to withhold its decision. Mr. Churchward, as they all knew, had been endeavouring for a long time, at great cost, to have the case heard in a court of justice; and it would be contrary to every principle of the Constitution if they were to come to a decision that night, and so to prejudice the case in the eyes of those outside the House. By the law, as it at present stood respecting bribery, Members of Parliament who might have been found guilty of the grossest corruption were not prevented from resuming their position as Members of the House. He had no desire to cast a stone at any individual Member; rather than do so he had withdrawn the Motion that stood in his name that evening. One hon. Gentleman whose name had been mentioned (Mr. Watkin) was a personal friend of his. He was happy to see the course he had adopted in writing to the Lord Chancellor; and he had no doubt but that he would be able, when the time arrived, to clear himself on the floor of the House, as Mr. Churchward would be able and glad to do if he had the honour of a seat there. But he would remind hon. Gentlemen opposite that they had already ruined Mr. Churchward's property and fortune, and he had never in any way murmured at the decision. He (Major Dickson) did not find fault with hon. Gentlemen opposite on that account. Very likely if he had himself been sitting at the time on that side of the House he should have done the same. It was done in a moment of political agitation and excitement; but he would appeal to them whether now, in their calmer moments, they were still determined to blacken and destroy Mr. Churchward's character? Were they going to sacrifice an honourable man just for the sake of gaining a fleeting triumph over the Treasury Bench? Would they not have ample opportunities within the next month? was not dual voting to be shortly discussed, when they could exercise their feelings without restraint? Surely that would be a more fitting occasion for triumph, as well as a more liberal and generous one, than that a great party should combine to destroy the reputation of a private gentleman? Would it be wise at this moment, when the bitterest animosities of party were ready to burst forth, for hon. Gentlemen to throw this firebrand into the camp, especially when men of all parties in Dover were joining hand with hand in the endeavour to promote the common welfare of the town? For himself he was actuated by no personal animosities; he cared not whether a man were a Radical or a Tory so that he was an honest man; and he appealed to the hon. Member for Leicester, notwithstanding his extreme opinions, whether it was worthy of his high character to stand up in that House and blacken the character of an honourable gentleman when he had not a tittle of evidence to justify the proceeding. He called upon the House, in the sacred name of justice, to pause before committing a wrong which could never be repaired. He could not, indeed, hope for justice from mere bigoted political partisans; but he was addressing a British House of Commons. He left the case confidently in the hands of hon. Members on both sides of the House, confident that they would be guided by those rules of honour and fairness and justice which regulated the conduct and actions of all honourable men.

MR. BENTINCK said, that at an early period of the evening he addressed a question to the hon. Member for Leicester for the purpose of ascertaining whether the hon. Member would include in his Motion all magistrates in a position similar to Mr. Churchward, and the hon. Member asked whether the question was put seriously. Now, he thought that the discussion, as far as it had gone, showed that there was a great deal of seriousness in the matter. He would not detain the House long, for, after the able address of his hon. and gallant Friend the Member for Dover (Major Dickson), he did not think that much was required to be said in favour of Mr. Churchward. As he understood the hon. Member for Leicester to say that Mr. Churchward or any person found to have committed bribery was not fit to be a magistrate, he thought that the hon. Member would have done better if he had dealt with the case more generally, and had not selected merely one isolated instance. In cases of this kind, and especially in Mr. Churchward's case, there had been exhibited a great deal of party feeling; and though he did not suppose that the hon. Member for Leicester was actuated by party motives, yet the hon. Member would have done well had he made his Motion more comprehensive. It was well known that there were many magistrates in the position, in this respect, of Mr. Churchward, and as, of course, there was no party feeling or political animosity in the present Motion, as the pure and proper administration of justice was the only object in view, it was clear that the wider the scope of the Motion the more effective it must be. He was of opinion that all personalities should be avoided, and therefore he would mention no case involving the name of any Gentleman in that House; but every one conversant with the political history of this country knew that not only Committees of that House, but tribunals more strictly judicial, such as Royal Commissions, had found that there were many instances of gentlemen who had dealt in election matters in the same manner as Mr. Churchward was charged with acting. He, consequently, proposed to move, by way of Amendment, to omit all the words in the Motion after the word "of," and to add the following words:—

"All persons in the Commission of the Peace in any County, City, or Borough who have been found, either by Committees of this House or by Royal Commissions guilty of, or privy or assenting to, corrupt practices in Parliamentary Elections."

Amendment proposed,

To leave out from the words "removal of" to the end of the Question, in order to add the words "all persons in the Commission of the Peace of any County, City, or Borough who have been found, either by Committees of this House or by Royal Commissions guilty of, or privy or assenting to, corrupt practices at Parliamentary Elections." —(*Mr. Bentinck.*)

Mr. GLADSTONE: Sir, the purpose of the Amendment is, I suppose, to get additional words tacked to the Motion with the view of enabling hon. Members to vote against the Motion in its original form. I did not gather from the speech of the hon. Mover of the Amendment whether that was his intention, and I shall be glad to know whether the additional words are proposed with that view. If so, I think it is the duty of the Government to state, for the guidance of the House, their opinion on a question of a very grave and important nature, and the importance of which I do not think the right hon. Gentleman (the Chancellor of the Exchequer) at all appreciates. I heard his answer to-night to a question put to him from his own side of the House relating to two Members of this House. I did not hear, but I became acquainted in the usual way with the answer he gave on a former occasion to a somewhat similar question. I own I can sympathize with the right hon. Gentleman up to a certain point, inasmuch as I think that class of questions is one of extreme delicacy and difficulty; but I do not sympathize with his practice in attempting to get rid of these subjects as if they were matters that could be treated with great levity. With regard to the Amendment, it appears to me that the subject embraced by it is a very serious and grave one. I am far from saying that much of the matter comprised in it may not deserve the consideration of this House, and I think that, as the circumstances referred to arise out of recent Reports of Commissions, it would have been proper for the Executive Government to state their opinion for the guidance of the House in respect to the course to be taken. The Amendment is not necessarily in propriety or justice entitled to be annexed to the original Motion. This Amendment lays down the principle, if I understand it aright, that whenever a Select Committee of this House or a Royal Commission has found that any person was guilty of corrupt practices such person shall be included within the scope of the Motion, and Her Majesty shall be prayed to remove him from the commission of the peace. That is a very great extension of the original Motion, and an extension not only as to the persons, but as to the principle. I fully admit that the hon. and gallant Gentleman would be perfectly justified in challenging my hon. Friend to accede to an addition to his Motion with regard to all persons who stand in the same position as Mr. Churchward; but that is not the issue which he has raised. Here I may remark that I was totally ignorant of anything that had happened as to the case of Mr. Churchward since the last debate in this House, until I heard of the question put by my hon. Friend, and I am exceedingly sorry that anything should have occurred which should render it necessary to recur to a matter that cannot be associated with agreeable recollections for any of us. Mr. Churchward does not stand simply in the position of a gentleman against whom a Select Committee of this House, or any tribunal extraneous to this House, has formed a certain judgment. The broad and palpable difference is this, that the judgment of the Committee has been adopted in the first instance by the Executive Government, and in the second instance by the House itself. It is not therefore upon the decision of a Select Committee or a Royal Commission, but upon the vote and judgment of the House itself that my hon. Friend, as I apprehend, takes his stand. The distinction is broad and clear between that sort of preliminary finding, which the decision of the Committee of 1859 would have been had nothing followed, and the finding we have now before us, when that decision was challenged, and after full debate was affirmed by a majority in this House. The hon. and gallant Gentleman (Major Dickson) in his very able speech has cited, as though they were independent witnesses, the testimony of the right hon. Gentleman the Secretary of State for India (Sir Stafford Northcote) who was concerned in these transactions—although, by the direct assertion of the Committee, innocently concerned, and everybody who knows him must be convinced that he could not be otherwise concerned—and of a noble Lord (Lord John Manners) who was one of the minority in the Committee. The hon. and gallant Gentleman also goes back to the evidence, and thinks his account of that evidence is sufficient to induce the House to overlook, and to condemn, as partial and prejudiced, the judgment of that Committee. That judgment, however, is a formidable document. I must call the attention of the House to two paragraphs in it, and as the hon. and gallant Gentleman read a letter written by the noble Lord ascribing the judgment to political malevolence—

LORD JOHN MANNERS: No, I did not.

MR. GLADSTONE: I think I heard the words.

MR. OSBORNE: It was the gloss which the hon. and gallant Gentleman put upon the noble Lord's letter.

MR. GLADSTONE: I am glad to hear it is so; but I confess I should have thought that was the natural construction of the words. If, however, that was not the noble Lord's intention, so much the better. Well, in the Committee these questions were asked by Mr. Crawford—I confess I am very sorry to be obliged to read this, but after what has been said with regard to the judgment of the Committee I am compelled to do so—

> "Did you vote at the previous election for Dover? Mr. Churchward: Yes.
>
> "For whom did you vote? For the Secretary to the Admiralty, Mr. Bernal Osborne.
>
> "Then you voted for 'the Gentleman with the long tongue?' Yes, I voted for the Gentleman with the long tongue; I voted for Mr. Osborne.
>
> "Did you vote for him from political considerations? No; not at all. I distinctly stated that I did not support him on political considerations, but because I thought that as he was the Secretary to the Admiralty, and as there was a chance of the harbour being turned over to the Admiralty, and that they were likely to buy it, I thought that Mr. Bernal Osborne could serve the interests of Dover and also my interests better than any one else."

That was the view taken with regard to the exercise of the franchise, and he made the announcement with satisfaction. With what face, I ask, are we to set ourselves to take measures for the prevention of bribery if such disposal of a vote, the exercise of a public trust, with a view to private benefit, is allowed to pass without censure? I now come to paragraph No. 6, which contained the words, "having resorted to corrupt expedients." An Amendment was moved by a Gentleman, always to be named with honour for his strict political integrity and his jealous guardianship of public interest, the late Sir Henry Willoughby, for leaving out those words and substituting for them "endeavoured to exercise an undue influence, as appears from his conversation with Captain Carnegie." The Committee divided, and a minority of 6 voted for the Amendment, and a majority of 8 against it, the majority including the late Lord Northbrook, then Sir Francis Baring, a man than whom a more perfect example of purity and impartiality in his public conduct with respect to any question of this class never occupied a place in this House. The paragraph was then put to the vote as it stands, being in the following terms:—

> "While most anxious for the fulfilment of all

engagements entered into in good faith between the Government and individuals, the Committee submits for the consideration of the House whether Mr. Churchward, in having resorted to corrupt expedients affecting injuriously the character of the representation of the people in Parliament, has not rendered it impossible for the House of Commons, with due regard to its honour and dignity, to vote the sums of money necessary to fulfil the agreement to extend his contract from the 20th of June, 1863, to the 26th of April, 1870."

That paragraph, containing the full breadth of the censure which the hon. and gallant Gentleman has impugned, was carried by a majority of 9 to 4, and in the majority was Sir Henry Willoughby, though that distinguished gentleman was on the same political side as Mr. Churchward. The Committee's Report came under the consideration of Lord Palmerston's Government, and they had to consider whether, with that Report before them, they would take upon themselves the responsibility of proposing this money. They determined that they would not assume any such responsibility. The question, however, was raised in this House by those who represented the views of the four dissenting members of the Committee. In the month of March, 1860, Captain Leicester Vernon challenged the Report of the Committee, and made a Motion to this effect—

"That this House, having considered the Report and the evidence presented by the Select Committee on Packet and Telegraph Contracts, is of opinion that the contract entered into ought to be fulfilled."

It was impossible to raise the issue more distinctly between the Committee and Mr. Churchward than was then done. That Motion was the subject of a long, animated, and searching debate, the result being that when the House divided 117 persons supported it, and 162 adopted the Report of the Committee by giving a negative to the Motion. There was afterwards a series of proceedings year after year with which the House need not be troubled, and never, except on a single occasion, was a vote of this House passed for money for the Dover contract without certainly in the most invidious manner including the name of Mr. Churchward, in order to oust him from any monies stipulated in the contract made by him and condemned by the Committee. Once that mode of proceeding was questioned by a Motion to alter the form of the vote—the question of the Report of the Committee was never directly raised—and upon that occasion the Motion was rejected, I admit by a very small majority. But the Report of the Committee, when directly brought to issue, was, as I have shown, made its own by this House; this House, therefore, is as responsible for that Report as if we had all been members of the Committee, and that is the foundation of the relation between the House of Commons and Mr. Churchward. Now, I think it was most unfortunate, I think it was not consistent with a due respect to this House, that the Lord Chancellor, the head of the legal profession, should, under these circumstances, and at the very time, or immediately after the very period when the House had been renewing its Vote of Censure against Mr. Churchward, have appointed that gentleman to the magistracy. And here I may say that, in one respect, I am glad that a question was put from the opposite side of the House to-night, whatever the motive in putting it might be, because it gave to the hon. Member for Stockport (Mr. Watkin) an opportunity of making a declaration which I cannot but think does him the highest honour. He had called for inquiry, but of course he might know there would be difficulties in the way, and consequently he had voluntarily abjured all assumption of the dignity and power of the magistracy until he should be acquitted of the charge brought against him. I do not dwell on the charge made against Mr. Churchward in 1853, because I am not cognizant of the circumstances of the Report of that year, further than that I find, on referring to it, that the conduct pursued had been of a very extraordinary character, since it seems that something like forty or forty-five Government employments had been procured by Mr. Churchward for the purpose of distributing them among the electors of Plymouth. Now, under these circumstances, what are we to do? My right hon. Friend the Secretary of State for the Home Department told us the other night that the Lord Chancellor made this appointment in ignorance of what had taken place between this House and Mr. Churchward. Sir, I must say, if that be so, the Lord Chancellor has the utmost reason to complain of those gentlemen, however respectable, who recommended him to appoint Mr. Churchward to the magistracy in ignorance of facts grave and serious. But, if the Lord Chancellor acted in ignorance, it was his duty upon the discovery of the facts to undo what he had done before. It is no answer to the House to say that he was ignorant of the circumstances. I must confess when I heard that this debate was actually to take place I did hope that we should have had either from some Member of the Government who had communicated with Mr. Churchward, or from the hon. and gallant Gentleman opposite (Major Dickson), some declaration which would have relieved us from the painful issue raised between the dignity and duty of this House to support its own authoritative judgments and the character of Mr. Churchward. Had Mr. Churchward authorized anybody on his behalf to whisper one syllable of regret for the conduct which drew upon him the censure of the Committee, and after that Report the judgment of this House and the loss of the contract, which, no doubt, must have been attended with more or less loss of commercial profit in itself legitimate, I feel confident—though I have not had any communication with him on that point—my hon. Friend the Member for Leicester would have withdrawn his Motion. I, for one, would not have supported it had any such communication been made. Does Mr. Churchward regret the conduct which brought down upon him the Reports of 1853 and of 1859 and the judgments of this House; or are we to be told, as has been fairly stated or implied in the speech of the hon. and gallant Gentleman, that this judgment of the House and of its Committees were acts performed in the spirit of political partisanship? Well, then, that is to be the reason why Mr. Churchward is to remain a magistrate. Does not the hon. and gallant Gentleman see the fatal error that he commits when he himself raises the issue between the character of this House and the character of Mr. Churchward, because if Mr. Churchward is to remain a magistrate it is because the judgment of the Committee and of this House were governed by the spirit of political partisanship. That, therefore, is the admission we are called upon to make. Well, then, if that be the issue I accept it, but I accept it with regret. The smallest intimation on the part of Mr. Churchward, which, forbearing to accuse this House, would have expressed regret for the conduct in question might, I think, have induced the House to acquiesce, though not without some difficulty. But even in the choice between difficulties the House, I am sure, would have acquiesced; because it is irksome, it is odious, it is invidious, to have to go back upon questions of this kind which one might have hoped had been long closed. But as we are now distinctly told by the hon. and gallant Gentleman who appears here as the advocate and champion of Mr. Churchward that we must retrace our steps and must negative the Motion of the hon. Member for Leicester because our judgments were founded on political partisanship—[Major DICKSON: I asked to postpone the Motion.] That is not the question at all; no Motion of that kind has been made, for an Amendment of another description is before the House. All I can say is if a Motion had been made to postpone the decision on the ground that there was some hope of an apology from Mr. Churchward, I, for one, would be prepared to recommend it. Or if some other Gentleman, authorized to speak for Mr. Churchward, will give us that satisfaction which the hon. and gallant Member has declined—has more than declined—to give, because he brings the majority of this House into court and condemns us—if that satisfaction is given, I, for one, shall feel that my duty is performed, and I shall gladly retire from this arena. But if it be not given, whatever pain I may feel, I see no option left me but to support the Motion of the hon. Member for Leicester, who has undertaken the discharge of a most painful duty.

SIR STAFFORD NORTHCOTE: Sir, there are many points connected with this question upon which it is impossible that I should remain silent. I stand here, however, at some disadvantage, because I have just returned from my election in the country. I was not aware of what was coming before the House, and I am sorry to say that I am not in a position to-night to enter upon the general question; but as my name has been prominently brought forward in more than one of the speeches made to-night, and as I am now addressing a House of Commons, many Members of which are not familiar with what took place in the last House, I feel it my duty to say a few words with respect to the exact circumstances of the transactions of 1859, as well as I can recall them at this moment. I would premise that I know very little of what took place in 1853, and that I am not aware of the circumstances under which Mr. Churchward has now been appointed to the magistracy of Dover. It appears to be the feeling of the House, and a very natural feeling it is, that the circumstances which attended the making and the cancelling of the contract entered into by the Government of 1859 require the grave consideration of this House. As I was one of the parties that led to the appointment of the Committee, I may state the general character of the transaction, and why I feel that Mr. Churchward received an injury on the part of the House of Commons. I believed then, and I have always felt, that he was treated in a manner that gave him legitimate cause of complaint. Laying aside all questions of his general fitness for appointment to the magistracy, it was due to him that those who were in any way connected with the transaction of 1859 should endeavour to mark their sense that he was an injured man. That is the feeling with which I rose, and I feel it the more strongly because it was the pleasure of the Committee of 1859 to pronounce a verdict in which I on one side and Mr. Churchward on the other might be said to have been put on our trial, and the result was that they acquitted me and condemned him. Under these circumstances I was placed in a position which I felt to be most painful, because I always considered that if there had been condemnation of both, or an acquittal of both, little could have been said; but when the Committee chose to single him out for condemnation and pronounce an acquittal on me, they came to a verdict which I have repeatedly said I could not accede to—a verdict which, so long as I am able to stand up, I shall say was an unjust verdict. I am sorry, Sir, that I have not had time to refer carefully to the proceedings of the Committee; but I remember, generally, what the circumstances were. They were these:—Mr. Churchward—I am telling an old story to many Gentlemen, but there are others who were not Members of the last Parliament—Mr. Churchward was a contractor with the Government. His contract had several years to run. Mr. Churchward came to the Government of Lord Derby in 1859, when I was Secretary of the Treasury, and he asked a renewal of that contract some years before it expired. He gave as a reason that he was prepared to enlarge the service and build new vessels or something equivalent. His application was referred in due course to the Admiralty, and the Board of Admiralty reported in favour of his proposal. It was sent to the Postmaster General, who reported against the extension of the contract. The matter then came to the Treasury, and a Report was made by the permanent Under Secretary or some other officer of the Treasury. I forget on which side he reported. It then came to me at a time when an election was just about to take place. The important point, however, was this:—that the Board of Admiralty had reported in its favour before there was any prospect of an election. It came to me just at the moment the election was about to take place. In consequence of Mr. Churchward being likely to take an active part in the Dover election I put aside the papers, not intending to take them up again till the election was over. But I was afterwards induced to take them up by these considerations. I do not think I had any communication with Mr. Churchward; but my attention being brought to the subject, I sent for Mr. Churchward and suggested to him that he should modify his proposal. He said he would not do so. He added something about a contract with the French Government, and that there were special reasons for taking up the subject at that moment. I said there was a difficulty in dealing with it just when an election was about to take place. Mr. Churchward said it was a very hard case that it should be put off; he had made the proposal to the Government several months ago; it had been hung up in a public office, and was now to be put off because of an election which had, in fact, nothing to do with it. I thought he was right, and I thought I should be acting as a coward if I put it off. Accordingly, I considered it on its merits; I thought he had a good case for the renewal of his contract; I agreed to renew it, and it was renewed. These circumstances were brought forward; a Committee of the House was appointed to inquire into the circumstances of the case; and before that Committee there was brought out what I certainly never heard of, that a conversation had taken place between Mr. Churchward and Captain Carnegie, one of the Lords of the Admiralty, who was afterwards a candidate for Dover. It appears that in this conversation he, in the first instance, promised Captain Carnegie his support, and after he had so promised he made allusion to his contract and asked him to do what he could for him. But no communication was ever made by Captain Carnegie on the subject. The Admiralty had reported in its favour, and took no further step in the matter. Well, under these circumstances, when the matter came to be inquired into before the Committee, they came to the conclusion by a majority to the effect reported to the House; but when it is said that the Committee came to their decision by a large majority, and that the Committee was composed of Members taken equally from both sides of the House, I must say that, although the Members were taken equally from both sides of the House, yet there were two taken from this side who were in a very peculiar position. I was one, and Mr. Corry—I mention his name as he is not at present a Member of this House—who was then Secretary to the Admiralty, was the other. We were both placed on the Committee; but, although we took part in the examination of witnesses, we felt that being Members of the Government that made the contract, and Members of the Departments concerned in it, it would not be consistent with decency if we took part in the decision of the Committee, and the Members of this side were in a considerable minority, because two of them felt themselves to be in that critical kind of position. It is perfectly true that Sir Henry Willoughby, who sat on our side, voted on that occasion with the majority; but in the decision before, the majority consisted exclusively of Gentlemen on the other side of the House. I do not say the case was not one in which there might be difference of opinion. I am not endeavouring to charge the Committee of 1859 with having acted with a partisan spirit, but what I am anxious to say is this — that, looking carefully into the matter, and inquiring into what the conduct of Mr. Churchward was, I found it utterly impossible to come to the conclusion that he had recourse to corrupt expedients to obtain the contract on any grounds which did not fix on the Government that renewed it the imputation that they were parties to that corrupt contract. It was absurd to make a charge of corrupt expedients when he made no application, direct or indirect, to the Department which had the whole management of the business in its hands. I therefore say that the verdict was an inconsistent and perfectly futile judgment. If the opinion of the Committee was that there was anything corrupt in that contract, it was the duty of the Committee to report against those who granted it as well as against him who applied for it. Well, when they came to the conclusion that nothing implicated the officers of the Admiralty or Treasury in anything corrupt, I thought it was scarcely consistent that they should have fastened on Mr. Churchward the charge of having recourse to corrupt expedients. Having said this much I come back to the point that we have been in these relations with Mr. Churchward — that we have felt he has had a grievous stigma inflicted upon him, and been subjected to heavy pecuniary loss, while we have been, I suppose I may say, honourably acquitted. That has been a very painful reflection to me and to others who hold the same opinion; and the more that whenever Mr. Churchward endeavoured to bring forward his case to have it fairly and impartially investigated he has always been refused the opportunity. He applied to be heard before the Dover Election Committee, where he might have been examined on oath; but he was told there was no reason for hearing him. He has more than once brought actions in Courts of Law; but he has been met by demurrer, on the technical ground that it was a matter alleged to affect the prerogative or public policy. He tried to refer the matter to arbitration—to Sir John Coleridge and several other gentlemen of high standing; but he has never been allowed that opportunity. The position, therefore, of Mr. Churchward, in the opinion of those cognizant of the proceedings of 1859, is one extremely painful—and which it is quite unfair that he should be placed in. I always myself said that I could not accept with any satisfaction the decision to which the Committee of 1859 arrived, which acquitted me while Mr. Churchward was found guilty. I am not at all aware as to how far he is fitted to be appointed a magistrate, but I shall certainly, as far as I can by my vote to-night, support the credit and reputation of a man who I think has been very unjustly treated.

Mr. OSBORNE: Sir, I feel personally thankful to the right hon. Member who has just concluded his speech for not giving us a history of the events of 1853. I did think his friend, Mr. Churchward, might have applied to him the same epithet that he applied to me—that of being "long-tongued,"—with his digest of a blue book, which he has been pouring like invidious poison into our ears. I should not, upon this occasion, have displayed the length of that peccant member which has given me such unenviable notoriety, had I not been somewhat unnecessarily dragged into the debate. I never voted upon the Committee, as I thought had I done so I should have exposed myself to have my motives impugned, for there is probably no Gentleman in this House who knows more of Mr. Churchward than I do, and probably no Gentleman in this House rejoices less than I do in his acquaintance. But I cannot for that reason sit still upon this occasion. I abstain from giving my opinion upon the subject under discussion. I merely rise for one purpose. I think it has been rather insinuated by the hon. and gallant Officer (Major Dickson), who rejoices in the friendship of Mr. Churchward, that this Motion—and I stand corrected if I am wrong—had been brought to me to bring forward. I ask that hon. and gallant Officer, does he intend to fasten that upon me? I ask him this because, if he does intend to fasten that upon me, I tell him that——he is labouring under a very great mistake. Sir, that Motion was brought to me in the lobby of this House. [Major DICKSON: That is all I said.] Yes; but you afterwards said that I had got a tool to hold it. [Major DICKSON dissented.] I am glad to hear it. I wish the House to understand my position. Something was brought to me, but I said, "No; you can't touch pitch without being defiled. I will have nothing to do with Mr. Churchward. You may get somebody else to do the work; I will not take any part in it." I said, "I will take no part in the debate"—I have been forced to get up now by the insinuations of the hon. and gallant Officer—"and what is more, when the subject is brought forward I will give no vote." I have never voted against Mr. Churchward. I felt that I was not in a position to do so. I hope the House will give me credit for that, and I hope that the hon. and gallant Officer will give me credit for it. As to my having endeavoured to get anybody to bring this Motion forward, had I wanted to bring it forward, I should have brought it forward on my own responsibility. But I go further. I believe that the Lord High Chancellor of England has been most grossly and improperly calumniated in this matter. I believe that he is totally incapable of giving a commission of the peace to a man who he thought was an improper one to hold it. Having gone so far, I will say nothing about the occurrence of the year 1859, or of the "martyred Churchward" of the Treasury Bench; but this I will say, that if the Government have instructed my right hon. Friend the Secretary of State for the Home Department (Mr. Walpole), who we all know is the soul of honour, to get up in his place—as I recommend him to do, and if he does it I will ask the hon. Gentleman to withdraw his Motion—and say, "Mr. Churchward will retire quietly into the society of those friends who value his acquaintance in private life"—I merely throw this out as a suggestion—I think that it will make everybody comfortable. I shall give no vote in this instance, and I only rose in consequence of the insinuations of the hon. and gallant Gentleman. I hope that the hon. and gallant Officer is satisfied, and I hope Mr. Churchward will be satisfied.

MR. BARROW said, he had been accused of being too loud on the hustings in his demand that corruption should be brought to punishment; but he held one great maxim of English policy to be that a man should not be punished two or three times for the same offence, and that such punishment should not be inflicted before the offender had been heard in his own defence. The real question before the House was this—would the House of Commons, upon various reports of what had occurred fourteeen years ago, stigmatise a man for life, and punish him with the severest punishment that it was within their power to inflict? The House had already punished Mr. Churchward very seriously. He had no acquaintance with Mr. Churchward, and never had any conversation with him, and, except from what he had heard respecting him in that House, he knew nothing about that gentleman. But he thought that, whatever right the House might have to act upon the Report of one of its Committees, appointed to investigate a question affecting one of its own Members, they had no right to pronounce judicially upon the conduct of any man who had not been heard in his own defence. He understood from the speeches of two hon. Members that Mr. Churchward had challenged inquiry into the facts alleged against him, and that his application had been refused on some technical objection. He thought this was a good reason why the Motion of the hon. Gentleman asking the House to stigmatize Mr. Churchward without his being heard in his own defence should be rejected.

SIR ROUNDELL PALMER: Sir, it is most painful for those who have to discharge such a duty to rise in support of a Motion of this kind; but I cannot at all agree with the hon. Gentleman who spoke last, that this Motion is a proceeding *in pœna* against Mr. Churchward. What is the occasion of the Motion? It is that Mr. Churchward has been selected recently and for the first time as a fit person to be appointed one of Her Majesty's Justices of the Peace for the borough of Dover.

Therefore the step which has occasioned this Motion has not been taken by the hon. Gentleman who makes this Motion, but by the Government that made the appointment. I say "by the Government" deliberately; because I feel sure that had the matter rested solely in the hands of the Lord Chancellor, for whom I entertain the utmost personal regard and respect, and had all the facts of the case been brought before him, he would not have thought this a desirable appointment. But we are told by the right hon. Gentleman opposite (Sir Stafford Northcote) that we are to take a much broader view of the matter, and that Her Majesty's Government fully and entirely accept the responsibility of the appointment of Mr. Churchward upon the footing of its being a proper mode of redressing an act of injustice which has been committed by this House. I must say that that view appears to me to be a most extraordinary one, and that this step on the part of Her Majesty's Government opens up still more serious questions for our consideration than that which appeared to be raised by the Motion before the House. Are the judgments of this House never to be authoritative—are they never to be settled? Is every Ministry who succeed another Ministry at all times to be entitled to disregard the repeated judgments of the House—judgments which have even passed into the form of Acts of Parliament — Session after Session? I thought that the divisions of even our Committees, if we believed that they had discharged their duties honestly and fairly, were always entitled to our support. But this is not merely a case where only the judgment of a Committee is involved. The Committee which decided this case was one constituted of as honourable gentlemen as ever sat on such an inquiry. They were Sir Francis Baring (Lord Northbrook), Sir Henry Willoughby, Mr. Scholefield, and others, all of whom concurred in passing this Report. Therefore, I say that it is a very serious thing for the House, which had trusted entirely to this Report, upon the authority of those hon. Members, to be asked to sanction the proceeding of Her Majesty's Government in this matter, and to treat as a nullity the finding of that Committee upon this important subject. The finding of that Committee has been followed up by three consecutive Resolutions of this House, and on those Resolutions no less than four Acts of Parliament have been founded; and yet after that we are told by the present Government that they conceive it to be their duty to mark by some honour to Mr. Churchward their sense of the injustice which the decision of the House has done him. In that case I say that at least the House ought to require very strong and clear proof before they admit that any injustice has been done in this matter. Having more than once considered the evidence laid before the Committee, I differ from those who say that injustice has been done, and I shall be much deceived if that be not the opinion of the majority of those whom I am addressing. In the first place, let me call the attention of the House to this transaction, the evidence upon which, without trenching on the region of oral statement, mainly consists of written documents. I put aside the fact that Mr. Churchward had been subjected to the adverse Report of a Committee, on account of electioneering prosecuted with political zeal. Mr. Churchward obtained the contract, and under Lord Aberdeen's Government he applied for an extension of his contract without success. The correspondence ceases in 1857, a new Government comes in, he renews his application to them in January, 1859, and, of course, everybody who recollects the particulars of that Government acknowledge that even at that time the possibility of a general election was a thing which might be present to men's minds. The Board of Admiralty, not the First Lord, conceived that the investigation of the application on its merits belonged to the Treasury, and forwarded the application to the Treasury, with a "favourable recommendation," which, given by the Board of Admiralty, meant nothing whatever, as the Board did not profess to be judges of the question of renewing the contract, and did not profess to investigate the matter on its merits. The First Lord said he knew nothing about it; and therefore the reference to the Board of Admiralty of the 23rd of February was a matter of trifling importance. What was done? The Treasury, no doubt, discharged its duty in referring the matter to the Post Office; and on the 10th of January the Postmaster General reported strongly against the application for the renewal of the contract. Mr. Stephenson, of the Treasury, confirmed the Postmaster General; Mr. Hamilton, of the Treasury, differed from them. Before anything more was done, came the defeat of the then Government on the then Reform Bill, and it is remarkable that these questions always coincide with Reform Bills. Of course, everybody at that time knew that a dissolution was impending; and it actually took place on the 19th of April. Now the plot thickens. I have said before, and say again, I am ready to acquit the right hon. Gentleman the Secretary for India (Sir Stafford Northcote) of doing anything unworthy of his position; therefore, I protest against the fallacies into which his excessive generosity leads him, when he says, "If you condemn Mr. Churchward you must condemn me." I say there is no ground for any such conclusion. The right hon. Gentleman might have had, and I dare say had, reasons before him which might satisfy other men as well as himself. He was therefore totally free from the imputation of any improper motive. What he eventually did was right; but the evidence is irresistible, and it convinced the Committee that, as regards Mr. Churchward, electioneering was mixed up with the matter, and that the two things went on together. On the 4th of April Mr. Churchward writes a very urgent letter to Mr. Hamilton, of the Treasury, in which he says—

> "No compensation whatever could be offered me equivalent to the extension of my contract that I have prayed for. The extension is the pivot on which every department of my business turns. With the extension I have hopes of the ultimate success of my enterprize."

And so on, urging the case in the strongest possible manner. The next day, as it appears from the evidence of the right hon. Gentleman the Secretary for India (Sir Stafford Northcote), Mr. Murray, Private Secretary to the First Lord of the Admiralty, writes to Captain Carnegie a letter, in which he says—

> "My dear Carnegie,—Sir William Jolliffe is very anxious to see you this evening at the Committee-room, at 6, Victoria Street. They say they must get you to stand either for Dover or Devonport, both of which must be fought by Admiralty men. I am inclined to think you would have the best chance at Devonport. I don't like Dover much. The enthusiasts think they can turn out Russell. I told them they might turn out Osborne, but had no chance with Russell; and, in fact, I believe the latter would pull through the former. I will send for Churchward and ask him what the chances are; but I think, as a friend, you will have to stand for one of these two places."

While on the 4th of April Mr. Churchward is writing and pressing his claims for the extension of the contract, on the 5th of April Mr. Murray is communicating with Mr. Churchward with a view to what is going on at Dover. That is not all. There is a letter written clearly about that time, though the date is not given. It is given on the evidence of the right hon. Gentleman the Secretary for India, and I ask particular attention to its terms. The right hon. Baronet is asked—

> "Had you any other pressure put upon you except that which Sir William Jolliffe brought to bear to induce you to expedite this business just at the critical time of the election?"

My right hon. Friend (Sir Stafford Northcote) said that Sir William Jolliffe, who occupied an important and responsible position in that Government, urged the business to be expedited.

SIR STAFFORD NORTHCOTE: No! just the contrary. Sir William Jolliffe said—

> "This is a matter not to be brought forward during an election. There is an election coming on. You had better, therefore, deal with it before, or put it off until after, the election."

SIR ROUNDELL PALMER: I am much obliged to my right hon. Friend, and I accept that statement. To the question I have read my right hon. Friend replied—

> "There was another person who mentioned the matter, not to me, but to Mr. Hamilton, about the same time or, as nearly as possible, at the same time Mr. Hamilton received from Mr. Whitmore a letter, which has been already mentioned as having been written by Mr. Herbert Murray to Mr. Whitmore at the Treasury. I do not remember the exact terms, but it was to this effect, 'We are anxious to expedite Mr. Churchward's matter, and we want him to go down to Dover to canvass.'"

The question is whether we are to stigmatize the Committee as having come to an unwarrantable verdict. It is to be recollected that Captain Carnegie, after personal communication with Mr. Churchward as well as with Mr. Murray, believed that there was substantially an understanding or bargain for Mr. Churchward's vote and interest. Mr. Churchward distinctly denies that, but Captain Carnegie says—

> "Mr. Churchward spoke to me on the subject of the pending election for Dover, and, having volunteered his support and promised me his assistance in general terms, he made an allusion to his anxiety to obtain the renewal of his contract, and he said that they were anxious to defer signing the renewal of his contract until after the election was over; but he felt that that would be too hard upon him, and that he would rather prefer voting for Mr. Bernal Osborne and for myself, inasmuch as he would then have a friend in power, whoever was in office. He also added that he thought they wanted him to return two Government Members for Dover, and if they did so he should be obliged to comply with it."

Afterwards Mr. Carnegie says he distinctly understood the effect of this communication to be that Mr. Churchward, if his wishes as to the contract were gratified, would help to return two Government Members for Dover; otherwise his feelings and his own interest in possible events would be to divide his vote and interest, and give half of it to Mr. Bernal Osborne. Was that not evidence which the Committee were entitled to believe, concurring, as it does, with the documents and facts I have mentioned? The Treasury Minute approving the contract was signed on the 15th of April. Is it possible, in this state of things, for the House to say it is in a situation to treat Mr. Churchward as an injured man, injured by this House? But the picture would not be complete without Mr. Churchward's portraiture of himself. Mr. Churchward denies he entered into such a bargain; he denies that such a conversation with Captain Carnegie took place. It was for the Committee to judge to whom they could give most credit, and of materials for their judgment there were some by no means of slight importance in the answers given by Mr. Churchward himself to several questions put to him. In answer to the question, "Did you vote for him (Mr. Osborne) from political considerations?" he said—

> "No, not at all. I distinctly stated that I did not support him on political considerations, but because I thought that, as he was the Secretary of the Admiralty, and there was a chance of the harbour being turned over to the Admiralty, and that they were likely to buy it, Mr. Bernal Osborne could serve the interest of Dover, and also my interest, better than anyone else."

This is the account of this gentleman himself, giving the grounds on which he disposed of his political influence. But if these were the grounds, according to his own account, why Mr. Churchward gave his vote and used his influence, is it not probable that Captain Carnegie's account of what had previously taken place was the correct one? The question is, which of these accounts is the correct one? Did Mr. Churchward use his political influence in accordance with the interests of Dover and of himself, or upon purely political and independent grounds? Then, to proceed to the Question No. 1,075—

> "With regard to the vote you gave at Dover, you gave it entirely on personal grounds, as concerned yourself, and without reference to the contract?—On personal grounds, certainly, but it did enter into my consideration at the time that, inasmuch as I had received at the hands of the Government an extension of my contract, it would be unbecoming in me to oppose the Government."

Therefore it singularly enough happened that this consideration did actuate the vote which he gave. So that although he denied that he had told Captain Carnegie that it was to be so, singularly enough the event occurred, and according to his own showing a sense of gratitude directed the vote which he gave. Gratitude for what? For the extension of this contract. Then what was his answer to Question 1,879?—

> "Having heard the evidence (of Captain Carnegie and Mr. Murray), do you adhere to the version you gave to the Committee the other day?—I repeat that at that interview, in the presence of Mr. Murray, not one word was mentioned respecting the contract, or my anxiety to obtain the signing of the contract. I should not have dreamt of doing so imprudent a thing."

The House will judge whether the Committee should have thought that was consistent with the statement of Captain Carnegie. Then came this question—

> "What number of votes have you in connection with your establishment?—I think there are about fifty-two belonging to my establishment who have votes.
>
> "Did they all vote right?—I think they did. I do not think I had one traitor."

I have no inclination to detain the House; but I cannot help saying that, after the evidence which was adduced, the Committee were most fully justified in the conclusion at which they arrived as far as Mr. Churchward was concerned. If the House does not wish to give countenance to the mixing up the obtaining of Government contracts with electioneering for the Government, the House will not by its vote to-night depart from the principles on which it has already acted, or express its approbation of the selection of this gentleman to fill the office of a justice of the peace, especially of a justice of the peace for that very borough of Dover.

Mr. FRESHFIELD said, he was at all times most unwilling to obtrude himself on the notice of the House; but there were occasions on which silence might be construed as a want of moral courage, and the present was, in his opinion, one of those occasions. As one of the Members for Dover, he thought it was his duty to say a few words respecting the Motion under discussion; because he feared a great act of injustice would be perpetrated on the Government and on Mr. Churchward if that Motion were allowed to pass. It was cruel in the extreme to attack an individual in the way in which Mr. Churchward had been attacked that evening without any adequate cause. The present attack did not emanate from Dover, nor from the county of Kent, nor from any locality connected with Mr. Churchward or his doings. There were hon. Gentlemen round about him, representatives of the county of Kent, who, if there had been any impropriety in this appointment, would have been ready to point it out to the House. But the attack proceeded from that cold and bitter locality the North of England, and was supported by the hon. Gentleman who once represented Dover, but who now hailed from another place, he having owed his displacement in Dover to the influence of Mr. Churchward, his legitimate and proper influence in that borough. What were the charges brought against the Government and against Mr. Churchward? First, that in 1853 a Committee which sat to inquire into the election for Plymouth found that Mr. Churchward had been guilty of bribery, in the sense of having offered a place to an individual who had voted. The Committee sat a second time, to determine whether further proceedings should be taken or not, and the first Resolution they adopted was to the effect that it was the prevailing opinion in Plymouth at that time that after a man had promised his vote the promise of a place was not an infraction of the law. What was the second Resolution of the Committee? It was that the circumstances of the case did not call for further proceedings. Then there were the proceedings of the Committee of 1859. In 1859 a Committee of that House found that Mr. Churchward had been guilty of resorting to corrupt expedients affecting injuriously the character of the representatives of the people in circumstances affecting a contract for the mail packet service. The question in dispute was one involving moral character, and if such a question were put to the House there could be no doubt of the result. Now, what were the numbers on the two divisions? On the first, 162 to 117; and on the second, 176 to 168. Those numbers clearly proved that the House was not voting simply and solely on a question of moral character or conduct. It was plain that it was a party question, and that parties being then nearly equally divided, the divisions were very close ones. Mr. Churchward, however, did not submit quietly to the judgment of the House, but instituted legal proceedings for the purpose of proving the validity of the contract. The then Attorney General, the hon. and learned Gentleman the Member for Richmond (Sir Roundell Palmer), opposed those proceedings; but, instead of pleading that the contract was corrupt, and consequently invalid, he raised a demurrer to the effect that on the terms of the contract there was no mutual obligation. Unfortunately for Mr. Churchward it was a unilateral contract. Mr. Churchward was bound to carry the mails if required, but the Government was not bound to employ him. Such, at least, was the decision of the Courts of Law. But it should be borne in mind that Mr. Churchward had to fight the Government, which was so ably represented by the hon. and learned Gentleman the Member for Richmond, and what chance had he under those circumstances? Hon. Members had noticed that evening the spirit displayed by the late Attorney General. The hon. and learned Gentleman put into the Acts of Parliament a clause such as had never before been introduced into any Act, and that clause excluded Mr. Churchward from the benefit of contracts made with the Government. Such a proceeding was, in his judgment, unconstitutional. The evidence of corruption in regard to the contract was simply that Mr. Churchward, being in a room with two gentlemen of unimpeachable character, made use of a particular expression. Mr. Churchward ought to have been entitled to show that his contract was good, notwithstanding that the House of Commons might have been affronted by a conversation that had taken place, in which it was supposed that Mr. Churchward said he could influence votes at Dover. If so, that might be the act of a simple man, but not of a corrupt man. The use of such words tended to show that there was no corruption, for people did not talk corruptly if they thought and acted corruptly. It was idle to contend that light words spoken in casual conversation were to have any relevance as regards the contract being corrupt. Indeed, it was immaterial whether those words were used or not. It was proved at the time that the contract was necessary, that the Government were rightly to extend the period of the contract, and that it was right that Mr. Churchward should come to the Government and ask them to extend it. Mr. Churchward was able to obtain a more rapid transit of the French mails. The contract was entered into properly and righteously enough, and there was nothing even alleged to be wrong, but a supposed statement which was denied. Mr. Churchward had been unjustly used, especially when the hon. and learned Member for Richmond, the then Attorney General, shut him up in a Court of Law, by insisting that the contract did not mean that he was to receive payment, but meant that he was always to have his boats ready for the service of Her Majesty's Government. An attack was unjustly and unfairly made upon Mr. Churchward, so as to put him in a position of not being entitled to receive the grant which the Crown had made for the services which that gentleman had rendered. And that was followed up by the hon. and learned Gentleman the Member for Richmond, the late Attorney General, preventing Mr. Churchward from showing in a Court of Law that his contract was a valid one, by meeting him with a demurrer to that very contract for the rescinding of which the hon. and learned Gentleman was responsible. Mr. Churchward had been most unjustly treated. When he (Mr. Freshfield) heard that night the statement of the hon. and learned Gentleman, made as it was in that spirit of advocacy which was so oppressive, when administered by so eminent an advocate, he could not refrain from addressing the House against this attempt to shut out Mr. Churchward under those circumstances from exercising the office of magistrate for the borough of Dover, which his position in that place justly entitled him to occupy. This proceeding would be a great hardship on Mr. Churchward, following, as it would, the hardship of having denied him the benefit of the contract which he made with the Crown.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 141 ; Noes 161: Majority 20.

AYES.

Adair, H. E.
Adam, W. P.
Amberley, Viscount
Anstruther, Sir R.
Antrobus, E.
Barnes, T.
Barry, A. H. S.
Barry, C. R.
Bass, M. T.
Biddulph, Colonel R. M.
Bonham-Carter, J.
Brand, hon. H.
Bruce, Lord C.
Bryan, G. L.
Buller, Sir E. M.
Buxton, Sir T. F.
Calcraft, J. H. M.
Candlish, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Cave, T.
Cavendish, Lord G.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clement, W. J.
Clive, G.
Cogan, rt. hn. W. H. F.
Collier, Sir R. P.
Colvile, C. R.
Cowen, J.
Cowper, hon. H. F.
Crawford, R. W.
Crossley, Sir F.
De La Poer, E.
Dent, J. D.
Dillwyn, L. L.
Duff, R. W.
Dunlop, A. C. S. M.
Edwards, C.
Erskine, Vice-Ad. J. E.
Evans, T. W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
FitzGerald, Lord O. A.
Fitzwilliam, hn. C. W. W.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Fortescue, hon. D. F.
Gavin, Major
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. G.
Goldsmid, Sir F. H.
Goschen, rt. hon. G. J.
Gray, Sir J.
Grey, rt. hon. Sir G.
Grove, T. F.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.
Hardcastle, J. A
Harris, J. D.
Hartington, Marquess of
Henderson, J.
Herbert, H. A.
Hodgkinson, G.
Holden, I.
Howard, hon. C. W. G.
Hughes, T.
Ingham, R.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Layard, A. H.
Lamont, J.
Lawson, rt. hon. J. A.
Leatham, W. H.
Lefevre, G. J. S.
Locke, J.
Lowe, rt. hon. R.
Lusk, A.
Mackie, J.
Mackinnon, Capt. L. B.
M'Laren, D.
Marjoribanks, D. C.
Merry, J.
Milbank, F. A.
Mill, J. S.
Mills, J. R.
Milton, Viscount
Moffatt, G.
Monsell, rt. hon. W.
Moore, C.
Morrison, W.
Murphy, N. D.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
O'Loghlen, Sir C. M.
Onslow, G.
O'Reilly, M. W.
Otway, A. J.
Padmore, R.
Palmer, Sir R.
Pease, J. W.
Pelham, Lord
Pim, J.
Pollard-Urquhart, W.
Potter, E.
Power, Sir J.
Robertson, D.
Rothschild, Baron M. de
Rothschild, N. M. de
Samuelson, B.
Scholefield, W.
Sherriff, A. C.
Simeon, Sir J.
Smith, J.
Speirs, A. A.
Stacpoole, W.
Stansfeld, J.
Sullivan, E.
Synan, E. J.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Whatman, J.
White, hon. Capt. C.
White, J.
Whitworth, B.
Williamson, Sir H.
Woods, H.
Wyvill, M.
Young, R.

TELLERS.

Taylor, P. A.
Craufurd, E. H. J.

NOES.

Annersley, hon. Col. H.
Archdall, Captain M.
Bagge, W.
Bailey, Sir J. R.
Barnett, H.
Barrington, Viscount
Barrow, W. H.
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Beecroft, G. S.
Benyon, R.
Bernard, hn. Col. H. B.
Bingham, Lord
Bourne, Colonel
Bowen, J. B.
Bowyer, Sir G.
Bridges, Sir B. W.
Bromley, W. D.
Bruce, Sir H. H.
Cartwright, Colonel
Cave, rt. hon. S.
Chatterton, H. E.
Clinton, Lord A. P.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cole, hon. H.
Cole, hon. J. L.

Corrance, F. S.
Courtenay, Lord
Cooper, E. H.
Cox, W. T.
Dick, F.
Dickson, Major A. G.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Du Cane, C.
Dyke, W. H.
Dyott, Colonel R.
Earle, R. A.
Eaton, H. W.
Edwards, Sir H.
Egerton, E. C.
Egerton, hon. W.
Fane, Colonel J. W.
Fellowes, E.
Fergusson, Sir J.
Floyer, J.
Forester, rt. hon. Gen.
Freshfield, C. K.
Gallwey, Sir W. P.
Gilpin, Colonel
Goddard, A. L.
Goldney, G.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Grant, A.
Graves, S. R.
Greenall, G.
Greene, E.
Grey, hon. T. de
Griffith, C. D.
Gurney, rt. hon. R.
Hamilton, Lord C.
Hamilton, I. T.
Hanmer, Sir J.
Hartley, J.
Hartopp, E. B.
Hay, Sir J. C. D.
Henniker-Major, hon. J. M.
Herbert, hn. Colonel P.
Hesketh, Sir T. G.
Hildyard, T. B. T.
Hodgson, W. N.
Hogg, Lt.-Col. J. M.
Holmesdale, Viscount
Huddleston, J. W.
Hunt, G. W.
Innes, A. C.
Jolliffe, hon. H. H.
Karslake, Sir J. B.
Karslake, E. K.
Kavanagh, A.
Kelk, J.
Kendall, N.
King, J. G.
Knightley, Sir R.
Knox, hn. Major S.
Lacon, Sir E.
Laird, J.
Leader, N. P.
Lennox, Lord G. G.
Lennox, Lord H. G.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
MacEvoy, E.
M'Kenna, J. N.
M'Lagan, P.
Mainwaring, T.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Mitchell, A.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Naas, Lord
Neate, C.
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Noel, hon. G. J.
North, Colonel
Northcote, rt. hn. Sir S. H.
O'Beirne, J. L.
O'Neill, E.
Paget, R. H.
Parker, Major W.
Powell, F. S.
Read, C. S.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Russell, Sir C.
Schreiber, C.
Sclater-Booth, G.
Selwyn, H. J.
Selwyn, C. J.
Severne, J. E.
Sheridan, H. B.
Simonds, W. B.
Smith, A.
Stanhope, J. B.
Stanley, Lord
Stirling-Maxwell, Sir W.
Stopford, S. G.
Stuart, Lt.-Colonel W.
Surtees, F.
Surtees, H. E.
Taylor, Colonel
Thynne, Lord H. F.
Tollemache, J.
Turner, C.
Vance, J.
Vandeleur, Colonel
Verner, E. W.
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walsh, Sir J.
Waterhouse, S.
Whalley, G. H.
Whitmore, H.
Wise, H. C.
Woodd, B. T.
Wyld, J.
Wyndham, hon. P.

TELLERS.

Bentinck, G. A. C.
Lowther, J.

Question put, "That those words be there added."

THE CHANCELLOR OF THE EXCHEQUER: I hope the House will pause before assenting to a general proposition of this nature without any examination into it.

MR. GLADSTONE: Sir, I hope the House and I hope the country will consider well the purport of the short speech that has now been extracted from the right hon. Gentleman. About an hour ago it was my duty to rise upon the Amendment propounded—no doubt, honestly propounded—by my hon. Friend the Member for Whitehaven (Mr. Bentinck), and I pointed out, or endeavoured to point out, that the subject-matter of the Amendment, at the proper time, deserved the consideration of the House of Commons. In doing so, Sir, I was guided mainly by the fact that this important Amendment had been proposed and the discussion on it raised without previous notice given to the House. On that account it did appear to me that the time for the discussion of the question had not arrived, and that it should not be discussed except on notice, because of its novelty and because of the breadth of the field which it covered. The right hon. Gentleman has now discovered this. "The engineer hoist with his own petard," and smarting under the consequences of the victory which his Friends have gained for him, now falls back on words of wisdom, which he would not speak while it was yet time. I raised that issue. I did not object to the substance of the Amendment. I am convinced that the time is come when this House should take care as to the impression it creates out of doors with regard to the seriousness of its intentions at striking at acts of bribery in high places. But upon the issue of the unfitness of the present time. I objected to the addition of the words of the Amendment. The House has overruled my objection by a majority. The House has decided by a majority that this is the time to entertain the question, and Her Majesty's Government have formed a portion of that majority. If, Sir, this be the time to entertain the question, I feel that my duty to the House, and my respect to the House, bind me to say "Aye" or "No" on it. My choice is made in a moment. I will say "Aye" on it.

MR. NEWDEGATE: The right hon. Gentleman (Mr. Gladstone) warned us to think well before we adopted the Amendment that is now before us. I voted against the Motion, because I felt that we were likely to be guilty of a gross injustice in punishing a man a second time for an offence committed in a matter which a Committee had recommended should not be further proceeded with, and I voted in the majority. The right hon. Gentleman now for the sake of attracting popular attention supports an Amendment which he condemned at the beginning of this debate. I have no love of corruption. I supported last year the Motion of the hon. Baronet the Member for Northamptonshire (Sir Rainald Knightley) upon the subject of bribery and corruption, and I did so honestly, in the sense in which Mr. Pitt proposed to punish bribery and corruption—namely, by disfranchising the corrupt constituencies. I am prepared to pursue that course again; and I know that the hon. Baronet will not be wanting when the time comes. But I am not going to vote for an Address to the Crown to issue a fishing inquiry into transactions of years long past. I am not going to vote for a proposition that the right hon. Gentleman condemned at the beginning of this discussion. He may find it convenient to change his opinion during the evening. I shall retain mine. All I hope is that when the time comes for the hon. Baronet the Member for Northamptonshire to cite Mr. Pitt's opinion for the effectual prevention of bribery we shall be supported by the right hon. Gentleman.

Motion *agreed to.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Resolved, That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions for the removal of all persons in the Commission of the Peace of any County, City, or Borough who have been found, either by Committees of this House or by Royal Commissions guilty of, or privy or assenting to, corrupt practices at Parliamentary Elections.

NAVY—PADDLE-WHEEL STEAMERS.

MOTION FOR PAPERS.

MR. SHAW-LEFEVRE said, it would be in the recollection of Members of the House that the right hon. Gentleman now Secretary of State for War, and then at the head of the Admiralty (Sir John Pakington), made a statement in answer to a question put to him that on his accession to office he had not found the reserves of ships in the state in which he had a right to expect them. There was no qualification in that statement as to the class of vessels. It was accepted by the public as referring generally to the state of the navy and to all classes of ships, and there resulted a series of attacks in the press upon the administration of the late Board. The statement further alarmed not only those who were prone to panics about the state of the navy, but those who dreaded another re-construction of the navy similar to that inaugurated in 1859 by the right hon. Gentleman. At the commencement of this Session, the Duke of Somerset addressed himself to this subject in "another place," and defended the condition in which he had left the navy. The noble Earl at the head of the Government (the Earl of Derby) answered him, and produced in justification of his Colleague an extract from a memorandum by Sir Frederick Grey, which had been found among papers left at the Admiralty, and on the faith of which he said the right hon. Gentleman had made his answer in this House. Sir Frederick Grey was very much dissatisfied with the use made of his name, and of some casual remarks of his in a memorandum upon the policy of building some paddle-wheel steamers, and had asked him to move for a Return of the memorandum. Finding, however, that it would be contrary to the forms of the House to move for a paper which had been quoted in "another place," he (Mr. Shaw-Lefevre) contented himself with making a general denial on behalf of Sir Frederick Grey, in the course of the debate on the state of the dockyards, and there the matter would have rested. But in the course of the very able and clear statement made by the noble Lord the Secretary of the Admiralty (Lord Henry Lennox), on bringing in the Estimates, the memorandum was again quoted. Sir Frederick Grey now wished that his memorandum and the submission of the Controller, to which it was an answer, should be laid before the House, so that it might be seen how little ground existed for quoting him in justification of what was said by the right hon. Gentleman. The memorandum was written in February of last year, before the Estimates were brought in. It had reference solely to a proposal to build a paddle-wheel steamer, on the merits of which there was some difference of opinion. Sir Frederick Grey contended that in no wise could it be used in support of the general statement made last Session, or in any way as justifying the charges against the late Board. There never was any difference of opinion between himself and the Duke of Somerset as regarded the policy of building ships, or the condition in which the navy was at any time, and he said that any attempt to quote him as an authority for statements of such a nature was entirely unwarranted.

Motion made, and Question proposed,

"That there be laid before this House, a Copy of a Submission of the Comptroller of the Navy to the Board of Admiralty, and a Memorandum thereon by Admiral Sir Frederick Grey, on the building of Paddle-wheel Steamers, dated 1866." —(*Mr. Shaw-Lefevre.*)

LORD HENRY LENNOX said, he felt compelled to resist the application. The memorandum was attached to confidential communications between the Controller and the Board of Admiralty on questions of public policy and referring to other matters. It would be extremely inconvenient for the public service that these papers should be produced. That was his only reason for resisting the Motion. Both in the debates in that House and in "another place" ample justice had been done to the Duke of Somerset and the late Board of Admiralty.

SIR GEORGE GREY said, it was the universal rule that when a document was quoted by a Minister of the Crown the Government were bound to lay it on the table of the House. He should not press for any document the production of which was declared to be injurious to the public service; but he could not help expressing his surprise that in both Houses of Parliament a document should have been used in debate which it was now declared could not be produced.

LORD HENRY LENNOX said, he feared he had not made himself understood. The memorandum was only a short one, but it was attached to correspondence of considerable length relating to matters of public policy which it was not desirable to produce, but without which it would be scarcely intelligible.

MR. CHILDERS said, that if that were the case the document should not have been quoted. Towards the end of last Session it was said that the present Board of Admiralty found the reserve in a state in which they did not expect to see it. That statement was challenged in "another place;" and in reply a minute of Sir Frederick Grey was quoted, which should not have been done if the document could not be produced without injury to the public service. Sir Frederick Grey was put in an unfair position by its non-production.

SIR JOHN HAY said, there was no objection to produce Sir Frederick Grey's memorial itself if it were desired. It had already appeared in print. But the confidential communications contained in the Controller's submission it would be extremely undesirable to lay before the House.

MR. SHAW-LEFEVRE said, he had no wish for the memorial without the submission of the Controller to which it formed an answer. On Sir Frederick Grey's part he entirely repudiated the construction which had been put upon that document.

Motion, by leave, *withdrawn.*

OFFICES AND OATHS BILL—[BILL 7.]

(*Sir Colman O'Loghlen, Mr. Cogan, Sir John Gray.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir Colman O'Loghlen.*)

MR. NEWDEGATE said, he objected to proceeding with such an important Bill at that late hour (quarter past twelve.) That measure and the one which immediately followed it (Transubstantiation, &c., Declaration Bill) involved important constitutional questions which must be considered together, and it would be impossible properly to debate them at that hour. There were many Amendments on the paper respecting it, and he thought it impossible that they could make any progress with the measure at that sitting. He should therefore move that the House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Newdegate.*)

MR. COGAN said, he hoped that his hon. and learned Friend the Member for Clare would be allowed to go into Committee. After the lengthened debate and the exciting scenes which had already taken place, his hon. and learned Friend would be satisfied if the Bill were committed *pro formâ.* As a matter of courtesy he hoped this would be conceded.

MR. GLADSTONE said, he had supported this Bill at every stage, and was still prepared to give it his best adhesion.

At the same time, though limited in extent, the Bill certainly did involve serious constitutional questions which the hon. Member opposite (Mr. Newdegate) consistently treated as belonging to a very high range of politics. A debate of somewhat unusual length and animation on a subject of considerable interest had already taken place that evening. He could not but think that the hon. Member for North Warwickshire was justified in objecting to going on with the Bill at present, and he should therefore recommend his hon. Friend not to press his Motion.

Mr. GREGORY said, he hoped the hon. Member for North Warwickshire in any future discussion of the Bill would meet them in a fair and honourable spirit, and that no vexatious delays would be interposed to the progress of the Bill.

Mr. NEWDEGATE said, he could assure the hon. Member that his only wish was that the House should fully understand the great and important principle involved in the question.

Sir COLMAN O'LOGHLEN said, that as the hon. Member for North Warwickshire objected to going into Committee on the Bill at present, and as the right hon. Member for South Lancashire recommended that he should not press his Motion, he would give notice of the Committee on the Bill for that day week.

Motion, by leave, *withdrawn.*

Original Motion, by leave, *withdrawn.*

Committee *deferred* till *Tuesday* next.

House adjourned at half after Twelve o'clock.

* * *

HOUSE OF COMMONS,

Wednesday, March 20, 1867.

MINUTES.]—Select Committee—On Libel *nominated.*

Public Bills—*First Reading*—Consolidated Fund (£7,924,000).*

Second Reading—Church Rates Abolition [13]; Church Rates Commutation [15], *negatived.*

Committee—Religious, &c. Buildings (Sites)* [64]; Sale and Purchase of Shares [38] [R.P.]

Report—Religious, &c. Buildings (Sites)* [38].

Mr. Gladstone

MR. W. H. LEATHAM.

PERSONAL EXPLANATION.

Mr. LEATHAM: I beg to ask the indulgence of the House for a few minutes while I make a personal explanation. The hon. Member for West Norfolk (Mr. Bagge) last night asked the Chancellor of the Exchequer—

> "Whether Mr. William Henry Leatham is the same Mr. Leatham who was found personally guilty of bribery by an Election Committee of this House after the General Election of 1859, and ordered by this House to be prosecuted by Mr. Attorney General?"

Sir, my answer to that is that I was not found personally guilty of bribery by a Select Committee of this House. A Resolution directly the contrary was come to—

> "That it was not proved that such bribery was committed with the knowledge or consent of the sitting Member."

That paper I placed in the hands of the Chancellor of the Exchequer, and I hoped that my honour was safe in his hands. However, he did not choose to refer to the letter which I had placed in his hands, but in a jocose vein answered the question of the hon. Member for West Norfolk. I had no opportunity, in the hurry of the moment, of stating what I wished to say on the subject, and I hope the House will excuse me if I come before it on this occasion, because the House was excited last night and passed a Resolution which may affect me personally in a different way. All I say is, that the only accusation made against me from the beginning to the end of all the persecutions and proceedings connected with the Wakefield election was, that I wrote a letter to my brother-in-law, in London, asking for money to be sent down to my agent. That was the only act I ever committed. That letter is now in my hand—or rather a copy of it—and I think it only due to myself to read it to the House. This letter, by a great misfortune, was torn in two by my brother-in-law, and it was only on one half of that letter that I was convicted at York. I think that a more unfortunate thing could not possibly have happened to a gentleman who writes a confidential letter to his brother-in-law in London than that such a letter should afterwards be published to the whole world. That brother-in-law, being a man of business, tore the letter in halves, and gave one half to his clerk, putting the other half into his pocket, expecting to find time to acknowledge the letter. He never could afterwards find that half of the letter. That gentleman was examined before the Commission at Wakefield. I was present on the last day of the Commission sitting at Wakefield. I was waiting expecting to be called to supplement that part of the letter which was not in court. I was not, however, called. The Commission was closed, and I knew nothing of the impression which that letter created in the minds of the Commissioners until I saw their Report. I wrote to the Commissioners begging to be examined. They declined to examine me, and the prosecution went forward. The writing of that letter was the only accusation against me. What I did I did under the best of all motives, and I do not regret that I wrote it, but I do regret that it was torn in pieces, and that I did not bring it before the Select Committee of the House. This has placed me under a considerable disadvantage. When the Committee sat I had resigned my seat. I saw what the election agents had done, and did not expect to be examined. The room was cleared, and I was sent for in a great hurry. Three or four questions only were put to me, but none of them referred to this letter. I said to Sir William Hayter in private that if I had been asked if my relative sent down money from London to the Wakefield election I should at once have said that he had. I was not there as a voluntary witness, the question was not put to me, and the matter did not come before the Committee. That is the only point I regret. It has placed me under a great disadvantage. But I cannot think that this House, with this explanation before the whole world, will receive it in any other way than as the explanation of an honest man, placed in circumstances over which he had no control. Taunts having been thrown out on the other side of the House to this side about personal acts of bribery having been committed, I declare that I never was in that position; and some of my nearest friends who are Conservatives have told me that I never was in that position. But because that letter was torn in pieces the Commissioners took an unfavourable view of the matter. One of them said I had made a clean breast of it, and deserved an indemnity; but the other two refused, and kept from me my certificate. The matter was talked about in the House and made public, and the Chief Commissioner, who is now one of the Judges of the land, said that, in his opinion, I had earned my certificate. After seven years of endurance I come before the House to state what I believe to be the truth. It is not for me to throw dirt upon my own party, but under certain circumstances I must say I was victimised. I do not wish to blame the agents. We know what they are when we have had experience of them. I had not before that time had that experience. I have now had better experience of them, and I took precautions at the last election which saved my election, and I will take the same precautions at every future election. My agent told me on the election in question that he was not a monied man, and that he wanted a sum of money to conduct the election. He told me about the number of watchers, clerks, and people about the place who would be required, and I arranged to supply the money. This is the letter I wrote—

> "My dear Edmund,—I was glad to see your kind note this morning with good wishes for the election at Wakefield. I am obliged to find some money for ways and means immediately, and rather than draw the money out of the bank, where there are some clerks who might talk"—

There were two clerks who voted for the hon. Member for Stamford (Sir John Hay), who, at his first election, was returned for Wakefield. These clerks were Conservatives, and I did not wish them to know what was going on upon the Liberal side of the question. I respect these men, but I knew their opinions, and how they had recorded their votes for the hon. Member for Stamford when he came forward at Wakefield. The letter goes on to say—

> "I have been thinking that you would not mind my asking you (that is O. G. and Co.) to lend me £1,000 for a short time, so as not to be known at Leatham, Tew, and Co's. If you see no objection to meet my wishes I would thank you to send the money in four divisions, in registered covers, waiting the acknowledgment of each packet, in small Bank of England notes (£5, £10, and £20), to Joseph Wainwright, Esq., Solicitor, Wakefield."

Let me say, having been a banker, that no man in his senses going to commit bribery would have sent for Bank of England notes, for every Bank of England note sent into Yorkshire is endorsed, and can be followed into every part of the country. There was clearly no intention at that moment to commit bribery. The letter goes on—

> "This money is wanted for legitimate purposes, as my agent is not a monied man, as well as for"—

There the letter is torn in two, but it went on—

"payments to watchers and runners, of a somewhat doubtful character."

Mr. Gurney had no recollection of what followed. That is the whole of the matter, and I now leave it with the House. Before I sit down, let me say that the proof of the truthfulness of my examination before the Commissioners came out at the trial at York, and every word I said was proved to be as true as it possibly could be. If a Gentleman can go before Commissioners and be examined to the extent of 260 questions, and when the statements made by him on such examination are proved to be true before a legally authorized tribunal, no Gentleman has a right to taunt him with untruthfulness. There was a prejudice—an immense prejudice—against me. I have no business to defend what went on at Wakefield; I am not here to throw stones at others; but I think that after all this persecution it is rather hard that the House should come to a Resolution that every Gentleman who has been convicted of bribery before a Commission or a Committee of this House shall be removed from the commission of the peace. I thank the House for the kindness with which it has received this explanation. I thought it my duty to make this candid and free statement, and to leave it with the House, and I trust that hon. Gentlemen opposite will look with a little more charity on the acts of those who sit on this side of the House.

CHURCH RATES ABOLITION BILL.

(*Mr. Hardcastle, Mr. Baines, Mr. Trevelyan.*)

[BILL 13.] SECOND READING.

Order for Second Reading read.

MR. HARDCASTLE, in moving that the Bill be now read the second time, said, he would not trespass long on the attention of the House—the subject had been so fully and so frequently discussed in that House, and the arguments on both sides had been so frequently repeated, that he would only make a few observations on the present position of the question. He had been accused, on the one hand, of omitting to press his measure through all its stages last Session, and on the other hand of showing an excess of zeal in bringing forward the same measure again this Session. After the intimation given last year by the right hon. Member for South Lancashire (Mr. Gladstone) as to his intention to introduce other Amendments, or a substantive measure of his own, the next stage of the Bill was postponed to enable him to do so; and therefore, after last year's debate on the subject, it was of great importance that he (Mr. Hardcastle) should introduce his Bill again at as early a period as possible this Session. Since the debates of last year the occupants of the opposite Benches had changed places. Last Session some of the right hon. Gentlemen who then sat on the Opposition side of the House—he might mention two of them; the present Secretary of State for War and the Chancellor of the Exchequer—expressed their views that this question was one of such a character as ought to be taken in hand by the Government, and that it was beyond the strength of any private Member to carry. These Gentlemen were now sitting on the Ministerial Benches, and he thought it but right that they should in office have the opportunity of expressing their opinions upon the subject, and of introducing a measure if they liked; a course from which they would not be deterred (if they might be judged from their conduct on other questions) by the fact that some Members of the Cabinet entertained diametrically opposite views to the rest. In most great controversies—and this, which had lasted for more than a generation, and which had occupied so much attention, might fairly be considered a great controversy—in most great controversies there was a certain tendency on the part of the disputants to shift the ground which they at first occupied. In the old days of church rate martyrs — Thorogood and others — what was most heard on one side was the argument based on conscience, and on the other the assertion that common honesty required the payment of church rates so long as they remained the law of the land. By degrees the question assumed greater prominence, while the well-known Braintree case was dragging its slow length through the courts. About the time of the close of that case, when the House of Lords had finally declared how the law stood, a Committee sat in another place and took evidence which again tended to alter very much the line of argument pursued by those who defended the church rate. The opponents of the rate were told that they had ulterior objects in view—that they did not care so much to abolish the church rate as to destroy a much more important institution, the Church of England. That was the stock argument up to the debate of last year, when some remarkable speeches were made, and one in particular, by an hon. Gentleman who, he regretted to say, was no longer a Member of that House (Mr. Morley), but who he hoped before long to see again amongst them. They seemed then to have reached the last stage of the argument; and the chief remaining difficulty appeared to be how to provide for the maintenance of the fabric and services of the Church. Since that time it appeared to him that there was a feeling on the other (the Ministerial) side of the House to consult amongst themselves and with those on this side as to the best means of providing for those objects. The question was therefore no longer a mere attack on the church rate on the one side, or of defence on the other. They had had many schemes of compromise suggested, but he believed they had all now been abandoned. They had long passed the time when such proposals would be made as that the expenses of the Church should be paid out of the Land Tax or the Consolidated Fund, or out of the improved value of ecclesiastical property. We had had at all times proposals for exemptions — proposals to exempt Dissenters as such, and persons who had conscientious scruples as such, as well as those who gave notice of their desire or intention not to pay the rate. There had also been a suggestion that no compulsory church rate should be applied to any purpose except that of the repair of the fabric, and the question seemed to have been narrowed almost to that. At present somewhere between £50,000 and £60,000 was expended yearly for the repair of the fabrics of our churches—he believed the exact amount was £59,000—and the proportion of that which was raised by church rates was probably between £35,000 and £40,000. He would simply ask, could not the raising of that small sum, which stopped the way, be left to be raised by that voluntary munificence which had never failed when appealed to? There was one consideration which he thought would weigh strongly with hon. Gentlemen opposite, and that was the argument that if they abolished church rates altogether, a very heavy charge would be thrown upon the working clergy in some small parishes in the kingdom. They were by no means an overpaid body, and their expenses had been greatly increased during the last twenty years by the increased price of consumable articles. He wished to state that objection strongly, because it had some weight, and he did not know that anything was lost by stating objections strongly. But there was something to be said on the other side. The heavy charge falling upon the clergy would be only a temporary one, and would apply only to the present holders, and any man who, after the abolition of church rates, should accept a living would be fully aware at the time of the effect of what he did. Again, the hardship would only exist in a very limited number of parishes, the populations of which were very poor, and where there were few or no resident gentry. He believed that if a clergymen lived in the affections of his people, as he ought to do, he would find no difficulty in raising the comparatively small sum necessary for the repair of his church. The Nonconformist body not only defrayed the expenses of their places of worship, but also maintained their ministers. This was even done by the Primitive Methodists, who consisted almost entirely of the poorest classes; and he did not believe that the Church of England would find any difficulty in doing what had been constantly done, for a series of years, by her poorer neighbours. If this Bill passed the second reading Amendments would have to be considered when it came, as he trusted it would do, before Committee. His (Mr. Hardcastle's) position now was different from his position last year. There was a reason last year for delay; now there was every reason to press the matter forward as quickly as possible. He should therefore, if the Bill was read a second time to-day, endeavour that its future stages should not long be delayed. He would strongly urge upon the House to pass—in this which might probably be the last Session of the last middle-class Parliaments—an Act which would do away with great irritation, and he trusted that they would do so by so large a majority as would not only justify, but almost enforce upon those in "another place" the propriety of agreeing to this measure. The hon. Member concluded by moving that the Bill be read a second time.

Mr. BAINES, in seconding the Motion, said, he did not intend to enter into the great question of church rates, which had been debated over and over again; but he confessed to a great feeling of disappointment at finding that the hon. Member for Stoke-upon-Trent (Mr. Beresford Hope) had upon the paper an Amendment that the Bill should be read a second time that day six months. He had thought that the hon. Gentleman was a party last year to an arrangement which would have superseded the necessity for any further controversy. The Dissenters were desirous that this question should be settled; but, as a mere party man, he himself should be desirous to keep it alive, for it was really a very convenient question, and it was not without a pang that he should part with it. Nevertheless, he felt at the time that he would be quite willing to accept the compromise which he understood to be assented to by the hon. Member for Stoke-upon-Trent last year. It was a question of the clearest justice. The compromise proposed last year by the Bill of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) contained three principles—first, the abolition of compulsory church rates; secondly, power given to members of the Church voluntarily to assess themselves, and to collect the rate through the agency of the churchwardens; and thirdly, that Nonconformists and others who objected to church rates, and refused to contribute towards them, should have no share in the administration of the funds thus raised for the support of the fabric or the celebration of Divine worship in the Church. The Dissenters, who at present had a right, being parishioners, to attend the vestry and vote, were quite willing to make that concession and give up that right. They had no moral right to interfere with the affairs of the Church, and it would be an impertinence upon their part if they, after the unconditional abolition of church rates, attempted to do so. So long as other people respected his rights, he wished to respect theirs. He should be glad to hear how the hon. Member for Stoke-upon-Trent could explain what certainly seemed to be an inconsistency in his conduct—namely, how it was that he could no longer support the compromise into which he was willing to enter last Session. He thought that if the hon. Member objected to the Bill brought in by his hon. Friend (Mr. Hardcastle) the least he could do would be to bring in one himself. The Dissenters were at least half the population of the kingdom; they supported with liberality their own system of religious worship, and they did not feel that the Church was justified in calling upon them to contribute towards its support. The general question of church rates, however, had been so often debated that he would not make another observation upon it; but, seeing the Bill of last year, although read a second time, was not carried, and that to that Bill, which was one for the abolition of compulsory church rates, the hon. Member for Stoke-upon-Trent had given his assent as a fair compromise, he hoped that he would not now stand in the way of the settlement of the question proposed by this Bill;—because he assured him that if compulsory church rates should be abolished Dissenters would not interpose any obstacle to the adoption of arrangements between the Church and its supporters which did not compromise the rights of Nonconformists. The hon. Member concluded by seconding the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hardcastle.*)

Mr. BERESFORD HOPE acknowledged with gratitude the candour and evident sincerity of the appeal made to him by the hon. Member for Leeds, and his answer to that appeal should be a very simple one. As far as he understood his own position, he stood precisely where he did when he made some remarks last year following the speech of the right hon. Member for South Lancashire on the then second reading of the present measure, and any approval which he gave to that speech he was prepared to give now. The scheme to which he expressed his readiness to assent last year was now embodied in the Bill for the Regulation of Church Rates, brought in by his hon. Friend the Member for Buckingham and himself, and which stood for its second reading that day. He was bound to say that the Bill of his right hon. Friend the Member for South Lancashire, in the formal shape in which it appeared, fell short of what he (Mr. Beresford Hope) had hoped it would have turned out from the speech of its author. Some considerable time elapsed between the delivery of that speech last Session and the introduction of the Bill which was the fruit of it, and in the interim the right hon. Gentleman showed his measure to several Members on that side of the House, including the one now addressing it, who were Churchmen like himself, and they candidly told him where they thought the Bill defective, and indicated the points in which they believed it failed to effect a full and satisfactory settlement of the question. Accordingly, when the measure was introduced last year, those Churchmen in that

House who were honestly desirous of a settlement or a compromise which would let off on the easiest terms possible those who had conscientious objections to church rates, and yet preserve church rates, placed their views on the table of the House in the form of a Bill which was brought in by the present Chief Justice of the Court of Common Pleas, and on which his name also appeared. Being still in favour of a compromise, but not satisfied with the right hon. Member for South Lancashire's mode of effecting it, he gave his adhesion to the Bill of Sir William Bovill. The present Bill of the hon. Member for Buckingham proceeded on the same principle as Sir William Bovill's, though it was longer and contained more businesslike details than that rather hastily prepared measure. He trusted that explanation exonerated him from any charge of inconsistency. He had for many years past differed from those of his friends who were in favour of a no-surrender policy on that matter, and had frequently been the subject of severe remark from strong advocates of that view; and however necessary he felt it was to maintain church rates as an existing impost, he thought there was an equal necessity for fairly meeting the views of those who had conscientious scruples against paying them. The Bill brought in by the right hon. Member for South Lancashire last year proposed to sweep away church rates, but went on to leave those persons who liked to meet together and voluntary assess themselves; and for the concession made to the Dissenters the Dissenters were to make the countervailing concession that the money thus raised should be disposed of only by those who paid it. Now, he thanked the hon. Member for Leeds for the candid way in which he had spoken on the latter point; and he trusted that in dealing with that question, whether they were Nonconformists or Churchmen, they would, as religious men and not as partisans, try to find points of agreement rather than of difference between them. But the Bill of the right hon. Member for South Lancashire was seriously defective, because, while it enabled Churchmen to meet together and assess themselves—a provision of which it might be said was only the enabling people to do what they had the full power of doing without Act of Parliament—yet if a man once agreed to pay, and afterwards harked back from it, it contained no provision to compel him to pay that which he promised. Yet the assessment all round would have been based on the supposition that he intended to advance his promised quota, without which the church would either go unrepaired or an additional burden would be thrown on the honest portion of the vestry. That was preposterous, for the payment in that case was not a question of conscience, but one of common honour and honesty. He did not wish to compel a man to pay against his conscientious opinion, but he said that if a man made a bargain he ought to be kept to it. He appealed to hon. Gentlemen opposite whether they did not prejudice the cause of civil and religious liberty if, while attempting to relieve those who conscientiously objected to church rates, they prevented honest Churchmen from having a remedy in their own hands against their dishonest brethren. That was one not to promote religious liberty, but to facilitate fraud. Therefore he could not support a measure which would let off shuffling and dishonest Churchmen. He could not help feeling that proposals like the present for the abolition of church rates pure and simple only drove the amicable settlement of that controversy further off, and tended to discourage those who sincerely desired that it might not be fought out to the bitter end. It should not be forgotten that if there were susceptibility, honour, and conscience among Dissenters, so also these feelings existed among Churchmen; and if the latter saw the abolition of an ancient impost mainly resting on and very convenient to them, though it might be inconvenient to Nonconformists, pertinaciously pressed year after year as a necessity antecedent to a compromise, they would look on those who acted in that manner not so much as well-wishers to Nonconformity as evil-wishers to the Church. Any such feeling would tend to make the amicable adjustment of that question impossible. No doubt, in a town like Leeds, through the zeal of that distinguished man the present Dean of Chichester, and his no less worthy successor, Dr. Atlay, the good work of the Church of England might be sustained without the aid of church rates. But every clergyman was not a Dr. Hook or a Dr. Atlay; and in many less populous parts of the country, where all the wealth, the industry, and the intelligence which existed in places like Leeds were absent, that impost was greatly wanted. It was a remarkable circumstance that, while many advanced politicians were becoming the advocates of compulsory education rate (among whom he might by the way state he did not range himself, in regarding as he did the strength of denominational zeal for religion which made general secular education impossible as one of the safeguards of the land) yet they would not admit the necessity of a compulsory church rate upon Churchmen. He did not profess, as some conceived themselves able to do, to trace back the origin of church rates to Saxon days. It was enough for him that the arrangement had existed for centuries, and was part of the Reformation settlement. As an historical fact, the Church was the tenant in possession, and had been in possession for centuries before Nonconformity even existed. At first Nonconformity was prohibited. In later and wiser days, beginning from the Act of Toleration, its privileges were further and further confirmed till at length it was raised to a position of such perfect equality and consideration on the part of the government and law of this country, and in having risen to so much opulence, that it was hardly an exaggeration to say that Nonconformity had become the second Established Church of England. But that was surely no reason why they ought to abolish church rates as far as they concerned Churchmen. The position of the Church of England might, indeed, be considered unique; for where could they see in any other part of the world the spectacle of an Established Church existing with great privileges and position, and alongside of it perfect civil and religious liberty? Anywhere else the establishment relied on the secular arm, or else there was no establishment at all. But he looked on this anomaly as a distinguishing advantage, although possibly indefensible by the strict rules of political logic. It was, however, a marked peculiarity of British institutions that the people generally gave the preference to practical common sense rather than to rigorous logic. The scheme which he had always upheld would relieve from the payment of church rates those who objected to the tax, but promote its continuance in those cases where no feeling of opposition existed; and in such cases there was no reason why, while it afforded protection to Dissenters, the Church should find itself deprived of the protection of the law for the recovery of the rates from those who had agreed to pay them. A good deal had been said with respect to what had been called the "ticketing" of members of nonconforming denominations. In his opinion, the objection offered on that ground to the adoption of a fair and moderate compromise on the church rate question partook much more of the character of a sneer than of an argument. There was no man in this country who was not ticketed in some way or other—every Member of Parliament, every deputy lieutenant, every graduate, was ticketed; every man who made himself prominent in any church, or Dissenting society thereby ticketed himself. No one could apply for the suffrage, or any other right in this country, without "ticketing" himself in some way or other, and it was time that they should cease to employ such a pitiful epithet for the purpose of serious discussion—until they did so the question would never be rightly settled. Then his hon. Friend the Member for Bury St. Edmund's fell back upon what he must take leave to term the *argumentum ad invidiam* — why should Churchmen refuse to keep up their churches when the Nonconformists could always do so? But they might just as well say why should one man be richer than another when a man who was poorer could pay his way. As to another argument of his hon. Friend—that the alleged hardship on the clergyman of having to find out of his income money to keep up the church which might now be supplied by the rate was only one upon life-tenants, as the next incumbents would take their livings with their eyes open to the loss—all he had to say was that this was the advocacy of mere and absolute confiscation. The question to which he returned was, what grievance there could be if Nonconformists were not asked to contribute to the rate, in making it compulsory upon those who had agreed to pay it. If there were any grievance to Dissenters in that let them point it out; but he must say he thought that they would have a difficulty in doing so. If, however, all fair and reasonable terms of compromise were unhappily rejected by the advocates of the unconditional repeal of church rates, the Church would go forth to the conflict, cruelly indeed despoiled, but conscious of her own integrity, conscious that she had done all that Christian charity required her to do for the sake of peace and conciliation, and confident in the strength of her Divine Founder, to fulfil her sacred mission. The hon. Gentleman concluded by moving that the Bill be read the second time that day six months.

Mr. GORST, in seconding the Amendment, said, he was disposed to view the question more particularly in its connection with the rural districts. There were a large number of poor rural parishes where, for a very long time past, church rates had been collected without any opposition or agitation, and in which it was productive of a great amount of direct and indirect benefit. He would take the case of a village with which he was acquainted as an illustration of what would occur in a vast number of those places if church rates were abolished. In that village there was collected annually, in the shape of church rate, about £50, and out of that sum was defrayed the whole expense of the church services. But there was also an offertory collection made on each Sunday, which realized another sum of about £50, and the whole amount was distributed among the rural poor, among the sick, the aged, young orphans, and other destitute persons. That distribution was effected by means of the parochial clergy. From their personal knowledge of the people those gentlemen were peculiarly well qualified for the performance of such a duty, and the sum was, upon the whole, most judiciously expended; it was a source of great advantage to the poor; it relieved a large amount of misery which the Poor Law did not touch—it softened and alleviated many sorrows and afflictions in life which, perhaps, no other means could reach—and it saved many persons from the necessity of entering the workhouse during periods of temporary distress. But if the church rate in that parish were abruptly and suddenly abolished, it was clear that the first charge on the offertory collection must be the maintenance of the church services. In that case, if, by means of voluntary contributions and increased exertions on the part of the clergyman, the amount of the offertory collection was largely augmented, it was possible that these destitute people might not suffer. But if, as was far more likely, the amount raised at the offertory was not sufficiently increased, it was obvious that the poor would be the first to suffer from the abolition of church rates. It might be said that it was for churchmen to meet the requirements of the case by additional liberality; but he asked those who had experience on these subjects whether it was not a difficult thing to induce the public to add to the amount of their regular and constant contributions. He should further say that he regarded it as one of the misfortunes of the Church of England that its members were not properly educated in the habit of giving. He believed that in that respect the Dissenters were much in advance of Churchmen, and that fact was peculiarly visible in the operations of the members of the two denominations in the colonies. Now, if the voluntary contributions were not largely increased in such parishes as those to which he had referred, the people which would lose most by the abolition of church rates would be the rural poor, and there was no class whose interests they were bound to consider more attentively than those of the rural poor. That class was not represented in that House, and had no political influence; but for that reason he believed its case always received generous consideration from them. Under that Bill the relief of the rural poor would be the second, instead of the first, charge upon the voluntary collection in such villages as that to which he had referred; and he appealed to the House whether the condition of that class was such that any injury, however slight, ought to be inflicted on their interests. If for that reason alone, he must oppose any Bill for the abolition of church rates which would inflict such injury; and therefore he cordially seconded the Amendment of the hon. Member for Stoke-upon-Trent.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Beresford Hope.*)

Sir GEORGE GREY said, that the subject of church rates had been so repeatedly discussed in that House, and the opinion of the House had been so frequently expressed on the principle of their abolition, that it was difficult to find anything new to say on the question; and he should certainly occupy the attention of the House for a very few moments. But before he proceeded any further to deal with the general question, he must make a remark upon the state of the Treasury Bench. That discussion, which was one of great importance, had now been going on for a considerable time in the absence of any single occupant of that Bench, except an hon. and gallant General (General Forester), who held an office in the Royal Household. [At this moment Mr. Walpole and Mr. Adderley entered and took their seats.] He was only sorry that the two right hon. Gentlemen who had just entered had not been present to hear the speeches which had already been delivered, and in the course of which some statements were made that might have influenced the decision of the Government. He hoped that this was not one of those subjects on which the House would be left to express an opinion without hearing any opinion from Her Majesty's Government. He should regret to be driven to the conclusion at which he understood the hon. Member for Stoke-upon-Trent (Mr. Beresford Hope), who had moved the Amendment, had arrived —namely, that they were now in a less favourable position than at the close of last Session in regard to the satisfactory settlement of this question. Towards the close of last Session he thought a general hope was entertained that an arrangement might be come to which would be acceptable to all parties concerned. The Bill of his right hon. Friend the Member for South Lancashire was not now before the House; but it was read the second time before the close of last Session, and there was a very general expression of opinion that it contained the germ at least of a settlement which might remove that subject from the field of repeated annual discussion. They had not therefore before them the Bill to which the hon. Member for Stoke addressed a considerable part of his speech; but if he correctly understood the speech of the hon. Member for Leeds (Mr. Baines), his hon. Friend was now prepared, although seconding the Motion for the second reading of the present Bill, to agree to the proposal made last year, which would, in fact, have abolished compulsory church rates, subject to certain provisions for preventing persons who had not paid those rates from taking part in the administration of the funds raised by that impost. The principle of that Bill was one to which he cordially assented; although he thought the details of the Bill, if it were again presented to the House, would require some modification. He was prepared to admit, with the hon. Member for Cambridge (Mr. Gorst), that it might be inexpedient and harsh in many instances to abolish a rate levied with the general assent of the inhabitants of a parish, and applied to the useful purposes which had been mentioned, and he regretted that the present Bill was not limited to the abolition of a compulsory rate. Notice, however, had been given of Amendments in that sense, and the provisions which might be necessary to give effect to the views of the hon. Gentleman in that respect might very well be discussed in Committee. He should cordially support the second reading of the Bill, reserving to himself the right to vote for any Amendment afterwards which might be proposed with the object of bringing about a compromise which might make the measure more generally acceptable. The hon. Member for Cambridge (Mr. Gorst), he might add, had expressed his regret that members of the Church of England were not so well educated as Dissenters in the principle of voluntary contributions; but surely, if that opinion were correct, it furnished an argument in favour of the second reading of the Bill, inasmuch as the inference was that the abolition of compulsory rates would supply that defect, and, by stimulating voluntary exertions, recommend itself to the hon. Gentleman's approval.

Sir WILLIAM HEATHCOTE said, he should not enter at length into the history of the question, or the arguments as applicable to the continuance of church rates, but rather confine himself to the actual condition in which the question now stood. He thought they had much to congratulate themselves on the tone with which the question of church rates was now dealt with in that House. The hon. Gentleman the Member for Leeds (Mr. Baines) had expressed his readiness to meet the susceptibility, if such it could be said to be, of certain Churchmen with regard to certain concessions which were discussed last year. The friends of the Church had prepared a Bill which they thought would meet the case in the best manner; but the House was asked to anticipate it by affirming the principle of this Bill. He was not then going to assume that his hon. Friends were right; but he had a right to ask that the House might be allowed to consider their propositions before the House was called upon to take a decided step in a contrary direction by the second reading of this Bill, which was in favour of the absolute and unconditional abolition of church rates. If they affirmed the principle of this Bill, it would appear as if they were acting somewhat inconsistently to immediately afterwards consider the provisions of a Bill of an entirely different character. The present state of the law, he might add, already established a sort of compromise, which it might or might not be desirable for the Legislature to put on a clearer and better footing; but it was no answer to anticipate a legal arrangement of this compromise by the direct affirmation that they would first put an end to the whole thing, and then afterwards be willing to listen to a compromise. The hon. Gentleman the Member for Bury (Mr. Hardcastle) declined to postpone, under the circumstances, the consideration of the Bill for a month, but he had elected to take issue upon whether the rate should or should not be absolutely abolished; and therefore he (Sir William Heathcote) should vote for the Amendment.

MR. READ said, that if this rate could be divested of its national and religious importance, he, as a tenant farmer, should say that it was more of a landlord's than a tenant's question. The tenants took their land subject to the payment of church rates, and although they were glad to get rid of rates and taxes whenever they could, they had no right to shirk this responsibility which they had engaged to pay. He had purchased land subject to the payment of church rates, and he did not think that he was justified in getting rid of that burden unless some substitute was provided. As an independent Member, he heartily wished to see this question settled; and he submitted to the House whether it would not be possible to read a second time the three Bills that had been introduced with reference to church rates, and then refer them to a Select Committee, by which means they might arrive at some legitimate and equitable compromise.

MR. SCOURFIELD said, that the national and religious importance of the question no doubt greatly added to their embarrassment in dealing with it; and another great difficulty was that a number of persons would be sorry to see it settled because it would be so much loss to them of political capital. As a member of the Church of England, he could not assent to the total and unconditional abolition of church rates. He could not disguise from himself the fact—and in expressing it he knew he was treading on very tender ground, and was pulling a hornets' nest about his ears—that the declamations of the Free Church party had imported a great difficulty into the settlement of this question. Churches must be repaired, and were it not for church rates the churches in London would collapse. He thought also that the question of pew-rents, introduced by the Free Church party, had greatly embarrassed the subject. He admitted that the direct payment to the church for seats ought to be coupled with the strongest conditions as to the number and character of free sittings to be reserved, so as to avoid invidious distinctions. It was impossible to prescribe the conditions on which the public should subscribe their money. What he most feared for was the actual repairs of the church. The voluntary principle was more or less a sensational one, and the clergymen found it was more easy to rebuild or restore a church than it was to get persons to contribute a small annual sum for its repair, because there was nothing picturesque about the ordinary repairs of a church. He thought that under proper regulations the payment of pew-rents, or an assessment for that purpose, with the preference of occupation in the church, would in a measure meet the difficulty. He was ready to come to some reasonable settlement of the question, but he could not agree to the entire and total abolition of the rate.

MR. REMINGTON MILLS asked why—as the hon. Member for East Norfolk had said the maintenance of the Church was a charge upon land — the landlords did not take the burden of repairing the church on themselves, and let their lands free of church rates? That would satisfactorily settle the question. He had been unable to find that any real or practical grievance would arise from the abolition of the rate. The late Mr. Divett, the Member for Exeter, brought in a Bill thirty-three years ago for the abolition of church rate, and ever since that time there had been a constant agitation against it, and every new church that was built produced fresh opposition to the rate. It was remarkable that during all that time there was not an instance where a church had fallen into decay and had not been repaired. Where churches had been rebuilt or restored by voluntary contributions it had been done in a more elegant and elaborate manner than was the case previously, and the churches generally were in good repair. It was useless to say that the Church would suffer from the abolition of the rate. The landlords should voluntarily pay the rate, and let their lands accordingly. It was a libel on the members of the Church to say that nothing but a compulsory rate would compel them to keep the fabric in repair. Dissenters ought not to be called on to pay the rate, and the Bill of the right hon. Member for South Lancashire was as unsatisfactory as other Bills for settling the question had been. The hundreds of thousands subscribed by Churchmen for the rebuilding and restoration of churches in the last thirty years showed that there was no difficulty in the way of their maintenance. He hoped the House would do an act of justice to those who were not Churchmen by passing the second reading of the Bill.

LORD JOHN MANNERS said, that allusion had been made in the earlier part of the discussion by the right hon. Gentleman the Member for Morpeth (Sir George Grey) to the absence from the House on the present occasion of all Members of the Government. None were more averse to the total and immediate abolition of church rates than Her Majesty's Government; but it might happen that on Wednesday afternoons the Government had to attend important duties in "another place." The late Government were invariably absent from the House on Wednesdays during part of the day; and if a Cabinet Council were held at two or three o'clock, before Ministers could arrive in the House, the important part of a debate had generally arrived. They had therefore thought it better to hold the Cabinet early, and to come to the House immediately afterwards. He felt a difficulty in discussing this Bill. He could quite understand that, on the question of the total and immediate abolition of church rates, the House should come to a distinct and positive issue; and if that were the only legitimate issue, the Government had a decided objection to a total and immediate abolition. But the mixing up of questions of compromise with that of total abolition confused the subject. If the hon. Member for Bury (Mr. Hardcastle) did not press the second reading of his Bill, this and the other Bills might be referred to a Select Committee, and a settlement thus be attempted; but after a vote in favour of total abolition, it would be absurd to consider the question of compromise. He could not understand how the right hon. Gentleman the Member for Morpeth could year after year give his countenance to a mode of proceeding which rendered compromise impossible, and which tended more to confuse and obstruct the settlement of the question than almost any other he could conceive. An hon. Member (Mr. Remington Mills) had said that for thirty-four years the question of the abolition of church rates had been agitated more or less in the country and debated in the House of Commons. There had certainly been no abolition of church rates during that period; and he denied that in that interval the feeling in the country had gained ground in favour of abolition. Every year Returns were published of the parishes in which church rates were levied; and year after year it appeared that church rates were levied and collected in an increasing number of parishes, and the sum total raised by the rates was on the increase. What, then, was the meaning of the statement that church rates were becoming more and more unpopular? He maintained that there was less and less difficulty experienced in the collection of church rates; and that year after year they became a more valuable and more reliable source of Church revenue. District churches had been referred to. Years ago district churches might have felt church rates to be a grievance; but since the Duke of Marlborough's Act and the decisions upon it, in a course of years that difficulty had vanished. When a compromise was talked of, it should be remembered that a compromise was like a quarrel—it required two parties to it. Now, on that (the Ministerial) side of the House Bills and Resolutions had been introduced with a view of settling the question on an equitable basis; but these proposals had been invariably resisted by hon. Gentlemen opposite representing what he might call the Dissenting interest. If the hon. Member for Bury (Mr. Hardcastle), as the accredited organ of that interest, retreated from his position, and the Dissenters would consent to some compromise, then there might be some hope for the various proposals under the consideration of the House. But the hon. Member (Mr. Remington Mills) had told the House that the measure of the right hon. Gentleman the Member for South Lancashire last year, rejected as it was with singular unanimity by Churchmen, was regarded with no favour at all by the Dissenters. The right hon. Gentleman the Member for Morpeth admitted that that measure of last year would require great alteration. [Sir GEORGE GREY: Modification.] At all events, he (Lord John Manners) objected to the Government being called upon to express an opinion upon a question which put all compromise out of court altogether. So long as this Bill for the total and immediate abolition of church rates remained in the way, the Government had but one course to pursue, and that was to vote for the rejection of a measure from the principle of which they heartily and entirely dissented.

MR. HIBBERT supported the Bill, because he, as a Churchman, thought there was sufficient energy among the members of the Church to keep up its fabric without the aid of church rates. Church rates in large towns might be said to have vanished; only in the small parishes were they retained; and he believed that in the smaller parishes where church rates had been abolished the churches were not out of repair, and that a large amount of voluntary contribution was obtained for their maintenance. He could not admit the statement that Churchmen were not so well educated in the voluntary principle as Dissenters; for a very large amount of money had been subscribed by Churchmen for the erection of new churches, and he believed that a fund for their repair was also provided by voluntary contributions. Only recently the Bishop of Manchester, in laying the foundation-stone of a new church in Lancashire, referred to the work which had been effected by voluntary contributions, stating that in the course of the nineteen years of his episcopal ministration he had consecrated 100 churches, and that probably he would be called on in the present year to consecrate seventeen more. The whole of these churches had been, he believed, provided for by voluntary contributions, and more than £1,000,000 had been raised for the purpose. He had therefore confidence in the earnestness and zeal of Churchmen, who, he was sure, would support their parish church, though the compulsory power of raising a rate were abolished.

MR. HUBBARD said, he was prepared to disclaim and condemn any legislation on this subject which was at variance with the principles of civil and religious liberty. What was the position of the church rate case? The country was now divided into two portions, in this way:—There was the minority of parishes, with a majority of population, collected in the great seats of commerce and industry, and containing a great many Dissenters from the Church, which had negatived the principle of church rates; and there was the majority of parishes with a minority of population, who exercised their privilege of rating for church rates. The principle of rating was an old constitutional principle in this country, and the levying a rate was the act of the majority, in which the minority were bound to acquiesce. He looked on rating as a great evidence of civilization, as a principle by which society raised itself out of the anarchy of savage life, and put upon every man a burden according to his power. Why, the principle of rating had been carried so far that there was actually a library rate, to defray the cost of books for the use of the working classes. It was the majority which ruled the minority with regard to the library rate, and why should that principle be tabooed when applied to church rates? The voluntary principle had been extolled as all-sufficient. But in what cases had it been successful? People were willing to make great sacrifices for the building of churches, because they had a great sympathy with the object, and felt that the successful erection of the structure would be identified with their own efforts. They saw the results. But they would not be so ready to make yearly payments for a purpose which produced no immediately visible results, and excited no especial interest or sympathy on their part. It would be absurd to propose to provide for the Consolidated Fund of the country on the voluntary principle; but if that was absurd he should like to be told where it was that the absurdity stopped in respect of raising funds by voluntary means. The hon. Proposer of the present Bill had said that he brought forward the measure with the view of allaying irritation. Whose irritation did the hon. Member allude to? Was it the irritation of the 8,500 parishes which paid church rates, or of the 1,500 parishes which were emancipated from the payment of the rate? This was a question in respect to which he thought that those who were interested might be left to act for themselves. As had been truly said by the hon. Member for East Norfolk (Mr. Read), this was really a question of burden on property, and the occupier, when he had to pay church rates, paid proportionally less rent than another occupier, who paid no church rates. Property had always borne the burden of church rates, and the question was whether the mode of disposing the burden should be interfered with. He contended that it should not be interfered with. Where a majority in a parish decided against a rate no rate was levied; but where a majority were in favour of a rate as the most equitable and convenient mode of raising the necessary funds from those only who were willing to contribute, was it an unfair or unreasonable request that their right to tax themselves should not be interfered with? The Bill which his hon. Friend the Member for Stoke-upon-Trent (Mr. Beresford

Hope) and himself had laid on the table—a Bill which, while it respected the rights and liberty of Englishmen, effected the object of the hon. Member for Bury St. Edmunds—the abolition of the compulsory payment of church rates. The measure of the right hon. Gentleman the Member for South Lancashire was for the abolition of what he called compulsory church rates. Now, as all church rates, leviable under the law, were compulsory, that measure necessarily implied the abolition of all church rates entirely; whereas the hon. Member for Stoke-upon-Trent and himself intended by their Bill to retain the power of rating for those who were willing to pay church rates, but provided in the simplest way a power of exemption for those who were disinclined to pay them. He should like to ask what it was precisely that was wanted by those who opposed the present mode of levying church rates. Was it simply that they wanted to give relief from a compulsory payment of church rates, or did those who supported the Motion of the hon. Member for Bury (Mr. Hardcastle) do so for the further reason that they desired to strike a blow at the connection between Church and State? Was it their desire to remove the Church from the status she had occupied from time immemorial. If the Bill for the abolition of church rates were carried, a very severe blow would be struck, so far as it went, at the principle of Church and State. The hon. Member for Leeds (Mr. Baines) had spoken of the large proportion of the inhabitants of England and Wales who were Dissenters; but any assertion that the Dissenters formed a majority of the population was in entire defiance of all statistics. He was aware that there was a volume called a "Religious Census," which might seem to lend some countenance to this opinion; but its allegations were unauthorized and unofficial, and its statistics were utterly worthless. He had some years since moved for a Copy of the Instructions under the authority of which the so-called "Religious Census of 1851" was compiled, and after waiting some time he was informed by the then Secretary for the Home Department (Sir George Lewis) that no Return of such instructions could be made, for that no such instructions were ever given. On the other hand, there were Returns in existence connected with marriages, burials and workhouses, and there was a religious census of both the army and the navy; and if such documents were taken as authority, a very different conclusion would be deduced from that of the hon. Member for Leeds, and the Church would be seen to have a considerable preponderance of the population. He (Mr. Hubbard) believed that the Churchmen in England and Wales numbered between 75 and 80 per cent of the population. But this was not a question of the proportion of Churchmen and Dissenters; it was a question of simple liberty for those who wished to carry on the system of church rates in their own interest, without affecting those who differed from them, and they claimed that as one of the inherent rights of Englishmen. The noble Lord who spoke on behalf of the Government (Lord John Manners) gave the House to understand that while, on the one hand, Her Majesty's Government were prepared to resist the total and unconditional repeal of church rates, they were willing to consider the measure proposed by the hon. Member for Stoke-upon-Trent (Mr. Beresford Hope) and himself, with a view of coming to a compromise. Thus the House had an advantage which they had never possessed before, for a Government had never said before that they would look at a measure proposed for the adjustment of this question with a favourable eye. This discussion did not merely involve the maintenance of the principle of self-government by the majority, which had always been respected by that House; but it involved the maintenance of the Church of England as a national Church, without the infliction of any oppression upon those who differed from her. He trusted the House would not let this opportunity of settling the question escape, but would pass over the proposition now before them with the view of coming to the consideration of a measure dictated by the most honest desire of meeting every reasonable scruple of those not connected with the Church of England. He should, therefore, offer his opposition to the Motion of the hon. Gentleman.

Mr. NEATE said, he did not agree with the hon. Member for Bury (Mr. Hardcastle) that the present time offered a peculiar opportunity for settling this question, and thought that this was a question on which, of all others, they should have waited for that increased constituency which was impending over them. If there was any institution more than another which must throw itself on the support of the whole people it was the National Church. Unless the Church of England could regain some of the ground she had lost during the last 100 or 200 years she could not lay claim, with any justice, to the position of the dominant ecclesiastical establishment. The House was placed in a position of embarrassment by the way in which the question had come before them. There was the principle put forward by the hon. Member for North Warwickshire (Mr. Newdegate) that the majority should have the right to tax the minority in these matters; but the principle that the majority had a right to bind the minority, though applicable to cases where the majority and minority assembled for a common purpose, did not apply to such a matter as that under the consideration of the House; and, as the State had recognised the full right of any one to dissent, he maintained that if there were only one Dissenter in a parish, that Dissenter had an absolute right to be exempted from contribution to a Church to which he did not belong. Then there was the principle embodied in the Bill of the hon. Member for Buckingham (Mr. Hubbard), which asserted the right of the Church of England to tax its own members. He (Mr. Neate) should be prepared to assent to the second reading of that Bill, because beyond that there was no step till total abolition was reached. He would ask the Government why they had not come forward with a proposition for the settlement of the measure?

SIR EDMUND LECHMERE said, that he had never denied that the present system of church rates had great defects; but he denied that those defects were of such a nature as to render indispensable the abolition of church rates. The great defect was that the fund raised by church rates was employed for two purposes—one being the maintenance of the fabric of the Church, and the other the maintenance of the ceremonial of the Church; and the Dissenters felt it a grievance to be compelled to pay for the maintenance of a worship in which they did not share. He believed, however, that the Dissenters would willingly pay for the maintenance of the ancient fabrics of the Church, for which they manifested an interest, and had in some instances contributed largely; but it could not be expected they would contribute with any degree of willingness to the maintenance of a worship of which they did not approve. The present system, by which the rates were levied on the occupier, instead of the owner of the property, was another matter which required correction. He thought the grievance upon the Dissenter and the Roman Catholic might be very much removed if the rate, instead of being levied on the occupier, were placed to the charge of the owner of property. He did not think it would be prudent to accept any Bill which did not contain some clause, distinguishing between the maintenance of the fabric of the Church and the maintenance of the ceremonial, and he did not see any such clause in the different Bills presented to the House. To the Bill of the hon. Member for Bury he should certainly give his unqualified opposition; and he trusted that before the end of this Session some measure which would satisfy the fair and equitable claims of the Church and of Dissenters would be presented to the House.

MR. THOMAS CHAMBERS said, that hon. Members should make up their minds whether they would maintain the church by a compulsory rate or on the voluntary principle; any attempt at a compromise between the two principles must necessarily and inevitably fail. It was difficult to understand how the Bill of the right hon. Gentleman the Member for South Lancashire last year could be called a compromise. It was as much a measure of abolition as the present Bill—the only conceivable reason for calling it a compromise seemed to be that it contained many elaborate provisions to the effect that people might pay a subscription to the Church if they liked. The Bill of the hon. Members for Stoke and Buckingham did not propose abolition, but only the exemption of such persons as chose to give notice of their desire to be exempted from the payment of church rates on the 1st day of January in each year. Whatever compromise of that kind might be carried would never work for the benefit of the Church. No reason need be assigned by the parties claiming exemption; and Churchmen as well as Dissenters would give notice of objection. In what position would the Church then stand? It now rested on the intelligible ground that it was the Established Church—the law recognised only one church, and imposed on all owners and occupiers a rate in proportion to their holdings. This was a position of great advantage; but this Bill once passed, that position would be entirely altered. The Church would be standing not on an ancient law imposing a rate on all owners and occupiers for the support of the establishment, in which position it is in antagonism only with Dissenters, but its attitude hereafter would be that of opposition, not only as against Dissenters, but as against Churchmen also, by giving them the means and opportunity of claiming exemption from the payment of rates for its support. How would they be able to maintain a compulsory rate in such circumstances? What was intended to break the fall of the Church from a compulsory to a voluntary system would then turn out to be the most disastrous sort of compromise, at once yielding to its foes and alienating many of its friends. Such a compromise would be far worse than simple abolition by the Bill of the hon. Member for Bury St. Edmunds. In parishes where church rates had already been abolished enthusiasm for the Church had revived—church extension had made great progress; many beautiful specimens of church architecture had been built, and there was no difficulty in maintaining them in a most excellent condition. In many of the country parishes where the rate has been continuously imposed, on the other hand, the fabrics were not generally maintained in a very creditable manner. The reason was that two or three farmers set the rate, and having to pay the greater part of it, they set it as low as possible. His belief was that if the Church would have the courage to throw itself on the enthusiastic sympathy of its friends, there would be found a plethora of wealth for maintaining and extending the Church system throughout the country. The existing law was such that its effect was to stop the liberality of Churchmen. For his own part he should prefer, what he had always advocated, a real compromise of this nature—that the maintenance of the fabric should be separated from the expenses of worship, and that the public national buildings should be supported by a rate, and the expenses of worship be defrayed by the worshippers. But he feared such a proposition was now too late.

Mr. BASS said, he was prepared to relieve all who objected to the payment of church rates, not by their absolute abolition, but by abolishing the compulsory payment of them. He did not recommend that proposal to the House without having had some experience of its successful results. In a parish with which he was connected about fifteen years ago, there were incessant disputes yearly on the question of church rates—quarrels between neighbours and friends, between Dissenters and Churchmen. There was no peace in the parish. The incumbent, a very sensible man, was determined to put an end to that state of things. He said there should be no more compulsion, while every year there should be a rate, and it should be collected only from Churchmen who were willing to pay, leaving others alone. What was the result? Since 1855, there had been, without objection or opposition, a rate levied of from £200 to £350 a year, to which great numbers of Dissenters contributed. That parish, too, paid higher rates than any other in the diocese; the churches were kept in admirable repair, and the clergy were on the best terms with their congregation, and with the Dissenters in the parish.

Mr. NEWDEGATE was understood to say that he was prepared to abolish the compulsory charge upon persons, but not to exempt property from the liability which had been so long placed upon it. He could not, however, go beyond this, for he could not consent to put the charge, which was really now upon the land, into the pockets of the landlords; and he felt that to abolish it altogether would be inconsistent with the maintenance of the parochial system.

Mr. AKROYD said, that instead of the Bill being a Bill for the abolition of compulsory church rates, it was rather a Bill for taking away from parishioners the power which they now possessed of taxing themselves for the maintenance of their parish church. The Bill in this sense interfered with self-government and with the principle that the majority should determine whether there should or should not be a church rate; in fact, it would impose upon the majority the will of the minority. It seemed to him that the provisions introduced into the Bill of the hon. Gentleman the Member for Buckingham (Mr. Hubbard) took away all ground of objection on the part of Dissenters; and he apprehended that upon no principle of civil or religious liberty could any one religious body claim to interfere in the government of another religious body. The mode which the Church of England had for centuries adopted of raising funds was church rates; and unless there was some injury shown to Dissenters, he ventured to claim for the Church her own mode of raising funds. He should wish to ask the hon. Member for Bury St. Edmunds (Mr. Hardcastle) in the event of church rates being repealed, what substitute would be proposed for them? The only other modes of raising money for the repair of the fabrics were pew-rents and the offertory collections. The objections against pew-rents, however, were much stronger than those against church rates. The average annual charge in the shape of pew-rents, whether in church or chapel, was about 10*s*. for each sitting; and if payment were made general it would exclude all the poor parishioners, or they would be put in some out of the way place where they could neither see nor hear. Pew-rents could be collected by process of law—an operation which would be extremely objectionable. At present the fabrics were the property of the whole of the parishioners, and they being the owners had the power and the duty of keeping them in repair. What would the hon. Member for Bury St. Edmunds (Mr. Hardcastle) do with the ownership of these churches? Was he prepared to confiscate them, or hand them over in perpetuity to that section of the parishioners which was attached to the Church of England? Or, on the other hand, did he expect Churchmen to be at the expense of repairing the common property of the parish? His hon. Friend appeared hardly to have considered on what footing he would leave the ownership of parish churches if church rates were violently and unconditionally abolished. Much of the animosity between Churchmen and Dissenters had died away. There was a disposition on both sides to settle this question. Mr. Morley, who he regretted had no longer a seat in that House, had delivered a speech on this subject which found favour on both sides of the House. For himself he must say they could hardly settle the question, except on the principle embodied in the Bill of the hon. Member for Buckingham (Mr. Hubbard). In his opinion the persons who were to be exempted from church rates by that Bill were not sufficiently defined; but that defect could easily be remedied. He ventured to claim for the Church her old mode of Church government and of raising funds; and he thought that if this principle were admitted, it would give to Churchmen and to Dissenters free scope to carry out their own views, and promote common Christianity in the modes they each considered best.

Mr. GOSCHEN said, he did not wish to detain the House by going into the arguments which had been used on either side: he rose simply to make an appeal to the Government whether they would not be induced to support the second reading of this Bill. He thought that the Liberal party, and especially the Liberal Church party, had every reason to be satisfied with the progress of this question and of this debate. A very different tone had been taken to-day from that which had characterized church rate debates on previous occasions. If this was at all owing to the fact that hon. Members who used to sit on that side of the House had gone over to the other, he thought that those on his own side had every reason to congratulate themselves on the change. This was the first occasion on which they had any declaration on any question connected with the Church from the Government. He had watched them with great interest in their addresses to their constituents on their election, but hitherto they had been silent on the subject. That day, however, the noble Lord the First Commissioner of Works (Lord John Manners) had addressed them as the organ of the Government on the question of church rates; and, on the whole, they had reason to be satisfied with his statement; because, although he said he should vote against the second reading of this Bill, he spoke of what he called a compromise in the most promising terms. For years and years, he said, they had been expressing a wish that there should be a compromise; and what was the compromise of the noble Lord? Exemption of Dissenters from paying this charge. Well, he trusted that was the view not only of the noble Lord, but of the whole of his Colleagues, including the right hon. Gentleman the Leader of the House of Commons. A few years ago that certainly was not the view of the right hon. Gentleman. He pronounced himself very clearly and distinctly on this subject. He said this—"Some of our friends would go further—they would exempt the Dissenters from the charge; that is not compromise, it is surrender." He said further—"What the Dissenter wants is, in fact, an oligarchical privilege." Was the right hon. Gentleman prepared now to yield that point—that which the right hon. Gentleman had formerly called a surrender? If the Government were prepared to sanction the compromise that Dissenters should not be obliged to pay the rate, they would have taken a great step in advance and proved that it was not only on the question of Reform that they had very considerable elasticity of convictions. He thought the Government might very well vote for the second reading of the Bill, and adopt the compromise contained in the clauses of which notice had been given by the hon. Member for Hastings (Mr. Waldegrave-Leslie). He trusted to see a compromise satisfactory to the majority of the House, and he hoped the Government would in this question repeat the example of the noble Lord the Secretary for Ireland, who a few Wednesdays ago, on the second reading of a Bill also involving the principle of religious toleration, first declared that he could not support it unless certain alterations were agreed to, but though these alterations were refused, voted for the second reading nevertheless.

MR. WALPOLE: The right hon. Gentleman (Mr. Goschen) having appealed to Her Majesty's Government as to whether they are prepared to support such a compromise as that suggested by my noble Friend the First Commissioner of Works —namely, to exempt Dissenters from the payment of church rates—the best answer I can give to the right hon. Gentleman is one which will not be simply confined to words. Eight years ago, when the Government of Lord Derby was in power, and when my right hon. Friend the Chancellor of the Exchequer was, as he is now, Leader of the House, he proposed a measure in which that identical compromise, as it is called, was included; and that measure was not rejected by those hon. Members who sat on the Ministerial side of the House, but by the combined movement of those who sat on the opposite side. In reference to this question, I have only to say that Her Majesty's Government are perfectly prepared to abide by that compromise, as it is called, by the right hon. Gentleman opposite, which they themselves proposed when they were last in office. But more than that — I think that the proposition of the hon. Member for Stoke, and of the hon. Member for Buckingham, do furnish us with the means of arriving at a very effectual compromise on this question, which the House will do well to examine. But when we are asked now, as we were asked last year, to consider not any such compromise as that, but to consider whether a rate which has existed for many centuries should not be absolutely and totally abolished without any compromise whatever—then, I say, it is utterly impossible that Her Majesty's Ministers, or those who concur with them, can assent to any such proposition. When the Bill, which was nearly identical with the present one, was introduced last year by the right hon. Gentleman the Member for South Lancashire, then the Leader of the House, in the course of the discussion upon the second reading he gave an intimation to the House—which intimation was subsequently followed up by a distinct and specific proposition—that if the compulsory abolition of church rates were not insisted upon, he would introduce a measure which would enable those who now desired to contribute to the maintenance of the fabric of the Church to obtain their object. I said then what I say now—I think that such a mode of dealing with the question would hardly give satisfaction. If a compromise of any kind be intended I think it ought to be by a distinct provision inserted in the Bill to be submitted to our consideration; because if we once assent to the second reading of a Bill without such compromise being included in its provisions, we shall be precluded afterwards in fair argument from objecting to the abolition of church rates absolutely, and it would be a mere chance, after absolute abolition, whether any substitute that would be considered satisfactory will be afterwards proposed. The right hon. Gentleman the Member for Morpeth (Sir George Grey) at the beginning of this debate took very nearly the same view on this question as the right hon. Gentleman the Member for South Lancashire, only with this difference—the right hon. Baronet thought that certain modifications might be made in the proposition of the right hon. Gentleman the Member for South Lancashire last year, and, as I understood, he seemed to think that some such machinery as that proposed by the right hon. Gentleman the Member for South Lancashire might be introduced into the present Bill. Now my answer to the suggestion of the right hon. Baronet is this—that it would be useless going into Committee upon this Bill, with that view, inasmuch as the introduction of such machinery into it would make it an entirely new Bill, and would not be an amendment in it. Let there be no mistake about the matter. What we think is this. Here is an old customary rate which has existed for centuries, and which has enabled parishes by self-governing action to contribute towards the repairs of the fabric of the National Church. About 5 per cent of the parishes have exempted themselves by reason of the votes of the majority of their populations from the obligation of contributing to the church rates, leaving 95 per cent of them perfectly willing to contribute to the payment of those rates required for such purposes. On what grounds then—for what reason I ask—are you to do away with that which is found to be the available practical machinery of this country for preserving the fabric of our churches, when it is evident that 95 per cent of the parishes do not object to it? There may be a few parishes, or a few individuals in a parish, who have not exempted themselves from the payment of those rates, but who wish to be exempted because they do not belong to the Church. Now, if any persons really desire to be exempted, Her Majesty's Ministers will agree to any proposition to effect that object; but they cannot consent to do away with that old and legitimate charge upon property in the hands of those belonging to the Church merely because a sentimental feeling as to this payment being a grievance exists in the minds of Dissenters. For these reasons we cannot agree to the absolute abolition of church rates. We are, however, prepared to consider any measure having for its principle the throwing the burden upon the landlords instead of the occupier, or of honestly relieving persons from the obligation of contributing to the support of the fabric of a church to which they do not belong. There is not any reason, we think, why a fund established for the maintenance of the Church should be abruptly destroyed. For these reasons I certainly cannot assent to the second reading.

Mr. GLADSTONE: Sir, I wish in a brief compass to offer a few observations upon the speech of the right hon. Gentleman opposite, and then to state the course which I intend to pursue in respect to the present question. The right hon. Gentleman says that church rates ought to be considered a charge upon property and not a tax upon the person who is called upon to pay them; and yet he is willing to exempt the Dissenters from the payment of them. But does not the right hon. Gentleman see that what is really involved in the whole question is this—whether church rates are really a charge upon property? The moment you consent to exempt the Dissenter from a charge inherited with his property that moment it becomes useless to assert that church rates are a charge upon property. The right hon. Gentleman says he objects to go into Committee upon this Bill because it is an inconvenient and objectionable practice to go into Committee, not for the purpose of amending a Bill in the ordinary sense of the word, but in order to make it a new Bill. Well, I confess I very much agree with him in that view. But still there are two points to be considered. The one is the point of form, the other the point of substance. As regards the point of form there is no question; because from the simplicity of the structure of the Bill it is perfectly consistent with its principles to engraft upon it provisions to maintain the present parochial machinery without establishing the compulsory powers. In regard to the point of substance, the question is one of words, because it is this—whether the substance of the Bill does not really reside in its destroying the power of compulsory taxation. And if it resides in that effect of it, then I say it is an alteration in the Bill in respect to substance to introduce provisions into it recognising the voluntary principle. As regards myself, I will only say what my object was in the Bill of last year, and what I felt to be the duty it imposed upon me. I do not think I should have been justified in pressing upon the House a compromise, however well intended, after the House had signified its disinclination to entertain it. Last year I confess I was disappointed in the course taken not only by some Members of the Government, but by several hon. Gentlemen of weight in the House on account of their personal qualities and experience, as well as of their knowledge of this subject. Those hon. Gentlemen not only opposed the Bill which I introduced, but on several occasions they declared the measure to be worse than a Bill for the total abolition of church rates. Although that was the case, yet, on the other hand, my Bill received a considerable support from hon. Gentlemen opposite. It is true we had not the advantage of ascertaining the extent of their support in a division, because no division took place on the second reading; but certainly the circumstances attending the passing of the Bill through a second reading without a division, and the assurances of support which I received, were such as to induce me to refrain from pertinaciously pressing such a compromise upon the House as I should have felt it my duty to do if the facts were otherwise than such as I have described. I have not thought it necessary to introduce the Bill a second time to the House for this reason—that my hon. Friend the Member for Hastings (Mr. Waldegrave-Leslie) had placed certain clauses on the paper which, if agreed to, will substantially effect the object which I have in view. I confess I think it desirable to support these clauses in Committee, and I hope that the House will fairly consider them. The point, then, remaining in doubt between the proposition of the hon. Member for Buckingham and the clauses given notice of by my hon. Friend is, whether the compulsory power of enforcing church rates shall be retained not for the purpose of putting it in action against the unwilling parties, but against those who are willing to pay. Now, the whole head and front of our proposition is this—that besides giving up the compulsory power against those who are not willing to contribute to the fund for the maintenance of the fabric of the Church, it is also proposed to give up the compulsory power as against those who are willing to pay the church rates. That, I think, is a question deserving of consideration in Committee; and inasmuch as no disinclination has been expressed by the promoters or supporters of the present Bill to afford a fair opportunity of discussing the question in Committee, I shall certainly have no hesitation in giving my vote for the second reading.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 263; Noes 187: Majority 76.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

AYES.

Acland, T. D.
Adair, H. E.
Adam, W. P.
Agar-Ellis, hn. L. G. F.
Agnew, Sir A.
Amberley, Viscount
Anstruther, Sir R.
Antrobus, E.
Ayrton, A. S.
Aytoun, R. S.
Barclay, A. C.
Barnes, T.
Barron, Sir H. W.
Barry, C. R.
Bass, A.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beaumont, H. F.
Beaumont, W. B.
Berkeley, hon. H. F.
Biddulph, Col. R. M.
Biddulph, M.
Blake, J. A.
Blennerhasset, Sir R.
Brand, hon. H.
Bright, Sir C. T.
Bright, J.
Briscoe, J. I.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bryan, G. L.
Buller, Sir A. W.
Butler, C. S.

Buxton, C.
Buxton, Sir T. F.
Calcraft, J. H. M.
Candlish J.
Cardwell, rt. hon. E.
Carington, hon. C. R.
Carnegie, hon. C.
Cave, T.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clay, J.
Clement, W. J.
Clinton, Lord E. P.
Clive, G.
Cogan, rt. hn. W. H. F.
Colebrooke, Sir T. E.
Collier, Sir R. P.
Colvile, C. R.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Cremorne, Lord
Crossley, Sir F.
Davey, R.
Davie, Sir H. R. F.
De La Poer, E.
Dent, J. D.
Dering, Sir E. C.

Dilke, Sir W.
Dillwyn, L. L.
Dodson, J. G.
Doulton, F.
Duff, R. W.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunlop, A. C. S. M.
Edwards, C.
Eliot, Lord
Ellice, E.
Enfield, Viscount
Erskine, Vice-Ad. J. E.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
Finlay, A. S.
FitzGerald, Lord O. A.
Foley, H. W.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Fortescue, rt. hon. C.S.
Fortescue, hon. D. F.
Foster, W. O.
Gaselee, Serjeant S.
Gaskell, J. M.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W.E.
Gladstone, W. H.
Glyn, G. G.
Goldsmid, Sir F. H.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Graham, W.
Gray, Sir J.
Gregory, W. H.
Greville-Nugent, Col.
Grey, rt. hon. Sir G.
Gridley, Capt. H. G.
Grosvenor, Lord R.
Grove, T. F.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.
Hankey, T.
Hanmer, Sir J.
Harris, J. D.
Hartington, Marquess of
Hartley, J.
Hay, Lord J.
Hayter, Capt. A. D.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Hibbert, J. T.
Hodgkinson, G.
Holden, I.
Holland, E.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Hutt, rt. hon. Sir W.
Ingham, R.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kearsley, Captain R.

King, hon. P. J. L.
Kinglake, A. W.
Kingscote, Colonel
Knatchbull-Hugessen, E
Lacon, Sir E.
Lamont, J.
Lawrence, W.
Lawson, rt. hon. J.A.
Layard, A. H.
Leatham, W. H.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Lowe, rt. hon. R.
Lusk, A.
Mackie, J.
Mackinnon, Capt. L. B.
Mackinnon, W. A.
M'Lagan, P.
M'Laren, D.
Marjoribanks, D. C.
Marsh, M. H.
Martin, C. W.
Martin, P. W.
Matheson, A.
Merry, J.
Milbank, F. A.
Mill, J. S.
Miller, W.
Mills, J. R.
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
More, R. J.
Morris, W.
Morrison, W.
Murphy, N. D.
Nicholson, W.
Norwood, C. M.
O'Beirne, J. L.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
Oliphant, L.
O'Loghlen, Sir C. M.
Onslow, G.
O'Reilly, M. W.
Osborne, R. B.
Otway, A. J.
Owen, Sir H. O.
Padmore, R.
Parry, T.
Pease, J. W.
Peel, A. W.
Pelham, Lord
Peto, Sir S. M.
Philips, R. N.
Pim, J.
Platt, J.
Pollard-Urquhart, W.
Potter, E.
Potter, T. B.
Price, W. P.
Pugh, D.
Rawlinson, Sir H.
Rebow, J. G.
Robertson, D.
Rothschild, Baron M. de
Rothschild, N. M. de
Russell, A.

Russell, H.
St. Aubyn, J.
Samuda, J. D'A.
Samuelson, B.
Scholefield, W.
Scott, Sir W.
Scrope, G. P.
Seely, C.
Seymour, H. D.
Sherriff, A. C.
Simeon, Sir J.
Smith, J.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Stanley, hon. W. O.
Stansfeld, J.
Steel, J.
Stock, O.
Stuart, Col. Crichton-
Sullivan, E.
Sykes, Col. W. H.
Synan, E. J.
Taylor, P. A.
Tomline, G.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Vandeleur, Colonel
Vanderbyl, P.
Verney, Sir H.
Villiers, rt. hn. C. P.
Vivian, Capt. hn. J. C. W.
Warner, E.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
Whitbread, S.
White, J.
Whitworth, B.
Williamson, Sir H.
Winnington, Sir T. E.
Woods, H.
Wyld, J.
Wyvill, M.
Young, G.
Young, R.

TELLERS.

Hardcastle, J. A.
Baines, E.

NOES.

Akroyd, E.
Archdall, Capt. M.
Arkwright, R.
Baggallay, R.
Bagge, W.
Bagnall, C.
Bailey, Sir J. R.
Baillie, rt. hon. H. J.
Barnett, H.
Barrington, Viscount
Barrow, W. H.
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Bernard, hon. Col. H. B.
Bingham, Lord
Bourne, Colonel
Bowen, J. B.
Bridges, Sir B. W.
Bromley, W. D.
Brooks, R.
Bruce, C.
Bruce, Sir H. H.
Buckley, E.
Burrell, Sir P.
Cartwright, Colonel
Cave, rt. hon. S.
Chatterton, H. E.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Cooper, E. H.
Corrance, F. S.
Cox, W. T.
Cranbourne, Viscount
Cubitt, G.
Dawson, R. P.
Dick, F.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. A.
Duncombe, hon. Col.
Du Pre, C. G.
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Edwards, Sir H.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Fane, Lt.-Col. H. H.
Feilden, J.
Fellowes, E.
Floyer, J.
Forester, rt. hon. Gen.
Freshfield, C. K.
Garth, R.
Gilpin, Colonel
Goddard, A. L.
Goodson, J.
Gore, J. R. O.
Gore, W. R. O.
Graves, S. R.
Gray, Lieut.-Colonel
Greenall, G.
Greene, E.
Grey, hon. T. de
Griffith, C. D.
Hamilton, Lord C.
Hamilton, I. T.
Hartopp, E. B.
Harvey, R. B.
Hay, Sir J. C. D.
Heathcote, hon. G. H.
Heathcote, Sir W.
Henley, rt. hon. J. W.
Henniker-Major, hon. J. M.
Herbert, hon. Col. P.
Hildyard, T. B. T.
Hodgson, W. N.
Hogg, Lt.-Col. J. M.
Holford, R. S.
Holmesdale, Viscount
Hotham, Lord
Hubbard, J. G.
Hunt, G. W.
Innes, A. C.
Jervis, Major
Jolliffe, hon. H. H.
Karslake, Sir J. B.
Karslake, E. K.
Kavanagh, A.
Kekewich, S. T.
Kendall, N.
King, J. K.
King, J. G.
Knight, F. W.
Knightley, Sir R.
Langton, W. G.
Lechmere, Sir E. A. H.
Legh, Major C.
Lennox, Lord G. G.
Lennox, Lord H. G.
Lindsay, hon. Col. C.
Lowther, J.
Mainwaring, T.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Meller, Colonel
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Noel, hon. G. J.
North, Colonel
Northcote, rt. hn. Sir S. H
O'Neill, E.
Packe, Colonel
Paget, R. H.
Palk, Sir L.
Parker, Major W.
Patten, Colonel W.
Paull, H.
Powell, F. S.
Read, C. S.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Russell, Sir C.
Schreiber, C.
Sclater-Booth, G.
Scourfield, J. H.
Selwin, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, A.
Stanhope, J. B.
Stanley, hon. F.
Stopford, S. G.
Stuart, Lt.-Col. W.
Stucley, Sir G. S.
Surtees, F.
Surtees, H. E.
Sykes, C.
Taylor, Colonel
Thorold, Sir J. H.
Tollemache, J.
Tottenham, Lt.-Col. C. G.
Treeby, J. W.
Vance, J.
Verner, E. W.
Verner, Sir W.
Walcott, Admiral
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Waterhouse, S.
Welby, W. E.
Whitmore, H.
Wise, H. C.
Woodd, B. T.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, C. W. W.
Wynne, W. R. M.
Yorke, J. R.

TELLERS.

Hope, B.
Gorst, J. E.

CHURCH RATES COMMUTATION BILL.

(*Mr. Newdegate, Colonel Stuart.*)

[BILL 15.] SECOND READING.

Order for Second Reading read.

MR. NEWDEGATE, in moving the second reading of this Bill, said *: Mr. Speaker—I beg to move the second reading of this Bill, and I do so, not in contravention of the decision at which the House has just arrived, so far as it exempts all persons from personal liability to the payment of church rates. This Bill has been prepared in accordance with a

Resolution which the House adopted only five years ago; for in the year 1862 after mature consideration of the whole question involved in the proposal totally to abolish church rates, this House, when 559 Members were present, came to the following Resolution by a majority of 17:—

> "That it is unjust and inexpedient to abolish the ancient customary right, exercised from time immemorial by the ratepayers of every parish in England, to raise by rate amongst themselves the sums required for the repair of their Church, until some other provision shall have been made by Parliament for the discharge of those obligations, to which, by custom or statute, the churchwardens, on the part of the parish, are liable."

Now, Sir, there are at this time three Bills before the House, but neither by the Church Rates Abolition Bill, the second reading of which the House has just sanctioned, nor by the Church Rates Regulation Bill, which stands third on the Orders of the Day, in the names of the hon. Member for Stoke and the hon. Member for Buckingham, is any substitute whatever for church rates proposed. The Church Rates Regulation Bill proposes that every person who chooses to say that he objects to pay church rates shall be exempt from liability to pay them, and that every owner of property upon which church rates have hitherto been paid shall, if he objects, exempt that property; it may be, during his life-time. It is with this second clause of the Bill that I quarrel; for, with the permission of the House, I can show upon indisputable authority that, although church rates are levied on the person, they are imposed only in respect of the occupation of that person; that is to say, the land or house which he holds. A person may live in an hotel until the year of jubilee, or the extreme age of man, and never be liable to the rate; but if he occupies any tenement then he becomes liable, and I think I can show the House beyond all dispute that this church rate is, in fact, a tax upon property. The measure I propose, thus, provides a substitute for church rate. It abolishes all personal liability; but reserves, as a substitute for the present rate, a charge upon property; not a new charge, but one to which property has always been subjected. That church rate is a tax upon property I will now proceed to show by reference to authorities upon the subject. Church rate, as we all know, is variable in amount. In some years 4*d.* is levied, and in some years 2*d.* is levied; but the average of church rate, I believe, is about 2*d.* in the pound. Well, in the year 1848 I moved for the appointment of a Committee, which this House was pleased to grant, to inquire into the agricultural custom of tenure prevailing in England and Wales. That Committee went county by county through all the agricultural counties of England and Wales, and took evidence as to the agreements upon which property was let; and they found that in almost every lease there was a distinct clause, which bound the tenant to pay the rates and taxes, or "outgoings," as they were termed in many cases, on account of the landlord. And wherever that clause was not inserted the evidence shows that the clause was implied, though not expressed. I should be sorry to detain the House at any length by reading the evidence on this subject; but I regret, however, that the right hon. Gentleman the Home Secretary now sanctions the proposals contained in the Bill of the hon. Member for Stoke and the hon. Member for Buckingham, to exempt the owner of property at his pleasure from a charge which has attached to that property from time immemorial, since the right hon. Gentleman has declared that he recognises church rate as a charge upon property. Yet, although the right hon. Gentleman recognises church rate as a charge upon property, he is prepared to exempt property from that charge. A tenant calculates that he will have to pay a church rate, say of 2*d.* in the pound; he offers a rent diminished by that amount to the landlord; but if at any time a rate of 4*d.* in the pound happens to be imposed, the tenant has then to pay the extra 2*d.* out of his own pocket. Thus the excess above the average gives a personal character to church rate. I am told that by this Bill I propose a new charge upon the land. The evidence to rebut that allegation, however, is most abundant; and, if the House will allow me, I will read a few extracts from high authorities which, I think, will be conclusive upon that point. The first authority that I will quote is that of the late Sir Robert Inglis, who, when a Bill was introduced in 1834 for the purpose of appropriating the sum of £250,000 out of the public revenue as a substitute for church rates, made the following remarks:—

> "It was precisely and strictly as an element of charge upon his property, as he had bought it, that a Dissenter, as well as every other man, was called upon to pay his proportion of church rates. If the amount had been raised by a poll tax then the Dissenters might have complained of being included in its operation; but he could not un-

derstand how any person, upon the principles of honesty, as between man and man, he having purchased a house or land with certain liabilities calculated in its value, could come forward and claim to be relieved from those liabilities upon the ground of holding certain opinions upon points on which he had, perhaps, changed his mind since the period of making his purchase. He thought those remarks disposed of the question of right and justice. He contended that the church rate was a tax upon property, not upon individuals, and that the Dissenters acquired their property liable to the payment."—[3 *Hansard*, xii. 1026.]

Then, what said the representative of the Dissenters, Mr. Daniel Whittle Harvey, in the same debate? He said—

> "It was well said by the hon. Member for the University of Oxford that the church rate was not less a charge upon property than tithe. This is no fallacy. The church rate affects property in the same manner as any other charge. The other day I was called upon to pay £14 for my house in Great George Street for the repair and maintenance of a neighbouring church. Now if I were to sell my house, would not the purchaser inquire after the church rates as well as the parish rates, the sewer rates, and all other charges affecting property; and, having taken them into consideration, would not the amount of them influence the price?"—[3 *Hansard*, xii. 1046.]

And now, with the permission of the House, I will quote the authority of the late Sir Robert Peel. He was supposed and generally admitted to be a person well conversant with the incidence of taxation. In 1837, Sir Robert Peel said—

> "If to meet these necessities a sum were taken from the Consolidated Fund, it would relieve the landowners of the country from the duty of supporting the Church. Whether there should be any new apportionment of this charge on the land, making the owner and not the occupier contribute (a plan which he owned would, in his judgment, be justice), thus continuing the connection between the landowner and the Church—whether it would be possible to reconcile such a plan with some means of giving relief to the Dissenters without any invidious test being imposed—whether it would be possible to draw a distinction between the cases of the town parishes and the rural parishes, in the latter of which the House might be assured the people did not wish to see the Church degraded—whether it would be possible to do these things he was not prepared to say, but at least they were deserving the best consideration."—[3 *Hansard*, xxxvii. 326.]

This, Sir, is precisely what the Bill before the House proposes. It proposes to abolish the personal liability of every Dissenter, and of every other man; but it also proposes to reserve as a substitute for church rates a charge upon property; and that not a new charge, but a charge upon property to which it has been liable from time immemorial. I will now shortly cite the opinion of the Poor Law Commissioners as to the incidence of this tax. In their Report of the year 1843 I find the Poor Law Commissioners saying this—

> "These rates are essentially taxes upon the rent of the landlord, not taxes upon the occupier's profits. No legal declarations, no limitations of legal remedies to the person and goods of the occupier, however much they may disguise the aspect of the tax, or make its burden operate unequally on rent, can make it fall permanently on anything but rent. For perhaps the greatest abuses which ever prevailed in the administration of the Poor Laws arose from this fact—that the tax fell, and that it was found out by the occupiers that it did fall, upon the landlord, while the administration, expenditure, and appropriation of the tax were given exclusively to the occupiers, who did not really bear the burden."

Let me now address a few words to the hon. Member for Sheffield (Mr. Hadfield). I saw at once that it would be unjust to allow the occupiers assembled in vestry to tax the land and the owners of property, unless the Legislature assigned some limit to their action. Accordingly, in former Bills, I proposed that the amount to which the property of the landlord might become chargeable should not exceed 2*d.* in the pound. Well, the hon. Member for Sheffield very much astonished me on one occasion by stating that I was about to propose a charge of £800,000 or £900,000 a year upon real property by my Bill. Surely, the hon. Member must have forgotten the provisions of the Bill. Under this Bill the charge was not to tax any parish in which no church rate had been levied for seven years, or where the rate had been refused three times on a poll. All such parishes are to be exempt from the charge I propose to substitute for church rate; and if the House will permit me, I will show the effect of the exemptions upon the amount of the charge. In former years I made a calculation somewhat in this manner:—Taking the rateable value of property, subject to the county rate, as the guide—namely, £64,900,000—it would, for the purposes of this calculation, become necessary to deduct the value of the property in the 1,826 parishes and districts in which for seven years no church rates had been levied, which amounted to £21,014,382, which, being deducted from the former sum, left £43,885,618. Deducting, also, 13 per cent for the value of tithes and glebe lands, as not liable to church rate, and therefore not intended to be subject to the charge on 9,463 parishes and districts in which church rate is levied—this amounts to £5,705,123—there remains £38,180,495. The produce of 2*d.* in the pound upon this sum would give £318,162 a year. That was the calculation which I made eight years ago. But I have sought this Session to ascertain what would now be the produce of 1*d.* in the pound. Making the same deductions from the rateable value, by taking a rough estimate of the parishes in which no church rate has been levied, and deducting the value of the tithe and glebe, which comes to about £7,000,000, by this calculation I find that the utmost amount which 1*d.* in the pound would now produce is £201,182, say £200,000 a year in round numbers. Now, under the Bill as it stands before the House the vestry is to decide in each parish, where church rates have been habitually collected, whether the charge shall be 1*d.* or 2*d.*, or an intermediate sum in the pound; and, if throughout the whole of England and Wales the vestries decide on 1*d.* in the pound, that would amount to a charge of £200,000 in round numbers. But the present church rate amounts altogether to from £250,000 to £300,000 a year; therefore, I retain the power in the hands of the vestry to levy 2*d.* in the pound, where they deem it to be necessary, under the new charge to be substituted for church rate by the Bill, and 2*d.* in the pound is adopted, the entire amount would exceed the £200,000 a year, which the 1*d.* in the pound would yield, and would approach £300,000 a year, if 2*d.* in the pound, instead of 1*d.* in the pound were adopted on half the value, liable to church rate in England and Wales, and £300,000 is about the aggregate amount of the present church rate in England and Wales. If the hon. Member for Sheffield, or any other hon. Member, will refer to the local taxation Returns, he will see under the head of church rates that there is a balance in hand each year of about £60,000. That arises from the fact that in many parishes the practice is not to have a church rate every year, but to levy a sum equal to the requirements of two years in one year, and hold the balance over; if this amount is added to the church rate, the total approaches £300,000 a year. Having in the preparation of these calculations had the kind aid of Poor Law officers, of officers connected with Queen Anne's Bounty, and of officers connected with the Ecclesiastical Commission, I beg to assure the hon. Member for Sheffield that he did me an injustice when he imagined that I was submitting to the House a proposition so extravagant as the levying of a tax of £800,000 or £900,000 in substitution for church rates. The utmost amount that would be levied under the Bill, in the first instance, after it came into operation, would be, as I have stated, between £200,000 and £400,000 a year. The object of the Bill is this—not to impose a new charge anywhere; but wherever the charge may not at first attach—that is to say, in parishes a church rate has not been levied for seven years together, to give an option with this reservation—that if the inhabitants shall hereafter determine to resume the exercise of their right to charge the property in that parish for the purpose of maintaining the fabric of the church—if three fourths of the inhabitants shall come to that decision in any parish, which is, at first, exempt under the operation of the Bill, that then the right of the inhabitants to have that which their forefathers intended them, shall be recognised by the court of quarter sessions. With the permission of the House, I will now continue the evidence in support of my assertion that church rate is a charge upon property. I have quoted the statement made by Sir Robert Peel in the debate of 1837. I have also quoted the opinion of the Poor Law Commissioners in the year 1843, and now I proceed to quote the opinion of Mr. Goulburn, who was for several years Chancellor of the Exchequer. What said Mr. Goulburn in the House in the year 1849? Mr. Goulburn said—

> "Those who inherited land inherited it subject to church rates, and those who bought it purchased it at a lower price than would have been paid if church rates had not been leviable in respect of it."—[3 *Hansard*, ciii. 661.]

Again, in the same debate, Sir Robert Peel said—

> "What was the Resolution in effect but a Resolution that the land should be relieved from this burden. . . . . The hon. and learned Member for Oxford (Sir William Page Wood) stated that both by the common law and the statute law the land had always been chargeable with a payment for the maintenance of the parish church. He said there was a distinction between tithes and church rates in several respects, but admitted that a payment from the land for the maintenance of the fabric was sanctioned by the common law; was it fitting, then, that they should exempt the land from this charge by a Resolution hastily passed by the landowners themselves?"—[*Ibid.* 667.]

Thus you perceive that Sir Robert Peel not only expressed the opinion himself, but cited that of Sir William Page Wood in support of the proposition that church rate is a charge upon property. In the same debate Lord John Russell, now Earl Russell, said—

> "In the first place, there was no shame in levying church rates on Dissenters who bought lands, because they had bought them subject to that charge, and it was considered in the price."—[*Ibid.* 674.]

But the strongest evidence of all, perhaps, on this particular point, is that which was given by Mr. Coode, a gentleman who was long employed on the Poor Law Board, and was more conversant with local taxation and the incidence of taxation upon property than almost any person living. And what did Mr. Coode say before a Committee of the House of Lords in 1861? The Question put to him was—

> "Is it the case that the incidence of the church rate, though it primarily falls upon the occupier, invariably rests upon the owner in the long run?"

And Mr. Coode's answer was "invariably." He then goes on to say—

> "It is not by a mere consequence—it is by an arrangement that anticipates all payment of rent whatsoever. No rent is ever set but upon the consideration of all the outgoings that the tenant will have to pay or provide for. No tenant yet in his senses ever made an agreement for rent, who did not consider, before the figure at which the rent was fixed, all these outgoings. Amongst those, and some of the most conspicuous and the most easily calculated of all, are the rates and taxes which the tenant will have to pay."

He further says—

> "It is not a question whether the incidence of such rates upon the rent is a mere consequence that may attach to it, or may be avoided; it is an inevitable result, anticipated and provided for beforehand, and inextricably involved in the very fixing of the terms of the tenancy. And any merely legal device you may adopt for fixing the rate on the tenant must inevitably fail, for the more stringently you fix the occupier the more certainly will you fix him with that outgoing, which would become a necessary deduction from the rent he would otherwise pay."

And now I beg the attention of the House to what follows. Mr. Coode proceeds to say—

> "I have seen in the last discussion which has taken place upon this subject in the House of Commons (referring to the debates of 1859 or 1860) an argument about the legal incidence of the rate, in which it is alleged that such and such an authority has said that the church rate charges the land, and that such another authority has said that it has not charged the land. That is merely a question as to the verbal terms in which the law may be made. You may make a rate upon the occupier or upon the owner, or say that it shall be on land and tenements; but you cannot by any device avoid this certain effect—that if the subject in respect of which the assessment is to be made is the subject of occupation, nobody will come into occupation as a payer of rent without taking that obligation into his calculation as an outgoing, and having the rent reduced accordingly. I feel surprised at this time of day to see a discussion which turns only upon the mere words of legal precedents, and not on the real practical and economical operation of any such imposition as all the local taxes are, church rates amongst the number."

Such evidence as this I could multiply *ad infinitum*. I might quote, for example, the authority of that learned Judge, Sir John Lushington, who gave evidence before the Committee of the House of Lords, and has repeated the substance of it in his judgment on the Tamworth church rate case. He is asked—

> "That being the state of the case, is it the fact that the majority who refused to make the rate are still in law censurable, and liable to a penalty for not making it?"

And he replies—

> "By the common law—that is to say, by immemorial usage in this country—the parishioners are bound to repair the church, and to provide everything that is necessary for the decent performance of Divine service; and, of course, if they refuse to do so they are guilty of a breach of duty; but there is no penalty that I am aware of that could possibly attach upon them; and for this reason, in former days, if such a thing occurred, the fear of an interdict would have been quite sufficient to have forced a church rate—I mean in Catholic times. But perhaps your Lordships should know exactly how the matter really stands. There is no doubt as to the extreme antiquity of church rates in this country; it is impossible to say satisfactorily when they began, but in Saxon times beyond all doubt. That, however, is a controversy I shall not trouble your Lordships with; but I could point out to your Lordships where you could find it, in case it was necessary to examine it minutely. The church rate was this—a rate upon the person with respect to his ability, whether it was in land or in personal property; but in those days, there being very little personal property, if any, capable of being taxed, it was, in fact, a tax upon land in possession of the occupier."

I am really ashamed of trespassing upon the attention of the House to such an extent with these quotations; but the evidence is so wonderfully conclusive on the point, and the authority so indisputable, that I am sure the House will forgive my doing so. In January last the right hon. Baronet the Member for Tamworth made a speech, from which I gather that he is inclined to the opinion that church rate is not a tax upon property; and in support of that view he cited the authority of the late Lord Campbell. I can hardly imagine that the right hon.

Baronet could have read the letter of Lord Campbell to Lord Stanley, now Lord Derby, whence I suppose he quoted, and which was written in the year 1837. But permit me to read to the House a passage from that letter. Lord Campbell wrote, and he wrote deliberately, in these terms—

> "From the difficulty in getting at the amount of personal property, the general practice has long been to confine the church rate as well as the poor's rate to real property."

Why, Sir, Lord Campbell was much too sound a lawyer to be found differing from Sir John Lushington and the other high authorities to whom I have referred. Lord Campbell then proceeds—

> "But there seems no doubt that originally personal as well as real property was subject to both, and that both were meant to impose a tax upon the parishioners, according to their substance and ability. So late as the year 1823, in the Poole case, it was decided by the High Court of Delegates that by custom a church rate may lawfully be assessed upon shipping and stock-in-trade."

As he had said, however—

> "From the difficulty of getting at the amount of personal property the general practice has long been to confine the church rates, as well as the poor's rate, to real property."

The fact is that you cannot adduce the opinion of any competent lawyer, of any competent surveyor, or of any practical man in favour of the idea that church rate is not a charge upon property. And, being a charge upon property, as I believe it to be, I entreat the House not to inflict upon the class to which I belong so severe a temptation as would be implied in transferring to them that which belongs to their neighbours. I say that the proposal to give to the landowners the power of robbing their neighbours by putting into their own pockets the amount of the church rate, is placing before them a temptation of which ill-advised persons—persons who dissent from the Church of England, persons of extreme opinions, trustees for minors, and persons not having a due interest in the welfare of their successors — will not be slow to avail themselves. Besides, if you enable the owners of real property to appropriate this charge of £300,000 a year, think you that successive Chancellors of the Exchequer will be so negligent as not to reclaim this public property from them? Why, Sir, it would furnish an excuse for increasing the direct taxation on real property, of which any Chancellor of the Exchequer would be bound to avail himself. As I deprecate the idea of taking any sum from the public revenue and giving it to the Church, so do I deprecate the idea of giving to the landowner that which belongs to his neighbours—the parishioners; because I am quite certain that the justice of the Legislature would soon vindicate itself by exacting from his property for the public service a much larger amount than he could have thus unjustly appropriated. Having disposed of that part of the subject, I will now explain the general provisions of the Bill, which I ask the House to read a second time. And first, instead of proposing 2*d.* in the pound absolutely as the amount of the charge to be substituted for church rate in the sense of the Resolution which was adopted by a full House in the year 1862—instead of placing it at 2*d.* absolutely, I propose by this Bill to give the vestry a discretion to levy, as the circumstances may necessitate, a charge of 1*d.* or 2*d.* in the pound, or any intervening amount. If you refer to the last Return made to this House respecting church rates in two dioceses, you will find that in parishes where the amount of the value of the property is not above £3,000 a year, the yield of 1*d.* in the pound is scarcely sufficient for the purposes of the church rate; whilst in those cases where the property in a parish amounted to £7,000 or £8,000 a year, 2*d.* in the pound was more, perhaps, than would be required; and that 1*d.* in the pound upon the richer parishes would be ample for all the purposes of a church rate; and the House will bear in mind that it is to provide for the purposes of church rate that the Bill imposes the charge. When hon. Members vote for the unconditional abolition of church rates, I think that where they act as representatives of Dissenters, they are hard upon us Churchmen. Except through the vestries, we have over the services of the Church no control whatever. Now, the Dissenters are in this position. They can, if they choose, remove their ministers. They can do what they like as regards the manner in which the services in their places of worship are conducted. But once destroy the action of the vestry, and what is the consequence? Why, that you leave us, the laity of the Church, at the mercy of the clergyman. You virtually take the parish churches from us, the laity of the Church of England, to whom they have always hitherto belonged, and vest them in the clergy who are irremovable by law. This, Sir, is a very serious consideration. For I know that the total abolition of church rates is not demanded by the representatives of Dissenters only. There are extreme ritualistic clergymen who ask for the unconditional abolition of church rates for the sake of destroying the vestry; for the sake of becoming absolute masters of the Church of England; and I have by me here a pamphlet written by the Rev. Mr. Bennet of Frome. He is one of those clergymen who are so spiritually proud that he has in plain terms declared that he esteems it unworthy of his position as a clergyman to preside at a vestry meeting. Well, he advocates the abolition of church rates in the sense of the Bill which has just been read a second time. And why does he do so? Because he wants to have sole possession of the parish church, and to oust the vestry altogether. Sir, I claim on the part of the laity of the Church of England that that which Mr. Bennet himself admits to have been our duty and our right from time immemorial —from Saxon times—I mean the duty to maintain the fabric of the Church, and the right, according to law, to regulate the services of the Church, shall not be taken from us. If any hon. Member will take the trouble to look into *Burns' Ecclesiastical Law*, he will there find that the law of the Church Catholic, of the Church generally, especially the Roman Catholic portion of the Church, has always been that the fabric of the Church belongs to the clergy, and not to the laity; and that it is out of the provision made for the clergy that the expense of maintaining the fabric is to be provided. But it is laid down by *Blackstone*, who quotes "Ayliffe and Lynwood," that ever since the Saxon times it has been a peculiarity of the Church of England, a peculiarity that extended over the whole period during which the religion of England was connected with the Papacy, that the laity, the parishioners, always asserted their right in the fabrics to the possession of them, and performed the duty of making provision for their maintenance by the imposition of a rate according to property and substance, which, although in Saxon times it was levied jointly with tithe, the provision for the clergy since the reign of Edward III. it has been as church rate has been levied separately for the maintenance of the fabrics of the Church, which, by the ancient laws and customs of the Church of England, are vested in the parishioners. Now if you do not take care—if the House passes the Church Rate Abolition Bill without making some provision for enabling the vestry to maintain the fabric and services of the Church—you will break through this ancient right and this ancient custom, and virtually change the possession of the fabrics of the Church, by taking them from the laity and vesting them in the clergy. As an Englishman, as a Protestant, and as a member of the Church of England, I object to any such transfer as that being indirectly effected by a Bill, which is justifiable only so far as it would relieve Dissenters from personal liability to church rates, relieve Roman Catholics from the payment of church rates, relieve every occupier in this country from personal liability on account of the expenses necessary for maintaining the fabric and conducting the services of the Church. Sir, I have used strong language on the appropriation of the amount of the church rate by the landowners, and perhaps the hon. Member for Sheffield may think that I am reflecting unduly upon the owners of property in large towns; but I can assure him that I have no intention of the kind. I do not deny that in the case of some large towns resistance to church rates was justifiable. In Birmingham, for instance, there are no church rates. My late friend, Mr. Muntz, who first suggested to me the principle of this Bill, was prosecuted and imprisoned for non-payment of church rate in Birmingham. The rejection of church rates there was quite just. Church rate is a payment, due in consideration of a benefit received; that benefit is church accommodation; but if accommodation is not provided for the people in the fabrics, there can be no claim in justice for a church rate. I say, therefore, that the people of Birmingham had a perfect right to resist and to abolish the church rate, because the Church did not provide them with the accommodation, which was the consideration for the payment they were expected to make. It is with that view that I propose to extend the special right to all such places to remain exempt from the charge the Bill would impose, unless three-fourths of the parishioners in any parish should choose to claim the imposition of the charge; and no one can suppose that three-fourths of the parishioners would claim the charge until the corresponding benefit in church accommodation has been amply and adequately provided for them. I do not know that there is any other point in this Bill on which I need now touch. I can only say that I have sought the best counsel on all sides, and have received it. This Bill, therefore, is no mere crotchet of my own. It is a measure which is approved of by men of the highest authority, though their names I am not at liberty to mention. It is a Bill that in their opinion will furnish a substitute; that will render the abolition of church rates just, expedient, and consistent with sound policy; whilst the abolition of church rates without some such substitute would manifestly strike directly at the parochial system of the country—that system upon which all other institutions, and particularly our representative institutions, are based. I believe that you could inflict no greater injury than some ill-considered measure (such as I think the abolition of church rates without compensation would be) must entail upon the parochial system of England. Suppose that the Abolition of Church Rates Bill passes without the provision of a substitute. Take the case of some poor country parish, the property of which belongs to indifferent absentee landlords. The Churchwardens meet and lament that they have no longer the sanction of the law to levy this ancient payment. It may be that the owners of the property in the parish are not members of the Church of England. They may be Dissenters, or they may be Roman Catholics. The Churchwardens do not like to go about asking for contributions. But some wealthy man comes to them and says, you need not go about begging; I will make a proposal to you that will have the effect of relieving you from all difficulty. Then he says, "If you can get such a curate employed I will give a sum sufficient to relieve you from begging for money to keep up the fabric and the services"—or, perhaps, the first year he makes no condition, but the next says, "Yes, I'll give you the same sum as last year if the services are conducted in the way I think most edifying"—and thus services, alien to the feelings of the parishioners, might be introduced. The adults might refrain from attending the church; but the school children must attend. Need I comment further upon the mischief that might ensue? I say, Sir, that if the House has any respect for the independence of the vestries in many of the country parishes in this country, it will not, by depriving them of the means they have had for centuries of providing for and regulating the services and maintaining the fabric of the Church, render them mere begging institutions. It would be hard upon the clergy to be compelled to collect this amount. I am sorry to say that in many parishes their income is not adequate to maintain them in the position which they ought to hold. I know many cases of poor clergymen with large families. And I say that it would be most unjust to lay upon them the burden of begging for the funds which are requisite to keep up the fabric. In principle, it would be most vicious to transfer either the cost of maintaining or the possession of the fabrics of the Church from the laity to the clergy; to do this in violation of the ancient laws and customs of England. I hope the House will excuse me if I have been somewhat eager on this subject. I have endeavoured to state plainly why I think that church rates, as a personal impost, should be abolished. I have shown, from the evidence that I have adduced, that church rate is a charge upon property. To me it appears that it will be inconsistent with sound policy and dangerous to the parochial system of this country if the House does not act up to its own Resolution of 1862—that Resolution being in substance that it would be unjust and inexpedient to abolish church rates without providing a substitute. Of the three measures before the House this is the only one which contains a substitute for church rate, and is therefore consistent with the decision of a very full House, after ample debate, in 1862.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Newdegate.*)

MR. SERJEANT GASELEE said, that the hon. Gentleman had raised a new cry—instead of raising the old cry about the Church being in danger—he now had represented the interests of the laity as those which were liable to injury. After the decision which the House had arrived at, he could not see how the hon. Gentleman could expect his Bill to be read a second time, and he therefore moved its second reading that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Serjeant Gaselee.*)

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 45; Noes 177: Majority 132.

Words *added*.

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

AYES.

Arkwright, R.
Baggallay, R.
Bagge, W.
Barrington, Viscount
Bateson, Sir T.
Bowen, J. B.
Brooks, R.
Bruce, C.
Bruce, Sir H. H.
Burrell, Sir P.
Cave, rt. hon. S.
Clinton, Lord A. P.
Cobbold, J. C.
Cole, hon. H.
Cooper, E. H.
Cox, W. T.
Dick, F.
Dickson, Major A. G.
Dimsdale, R.
Dyott, Colonel R.
Fellowes, E.
Floyer, J.
Garth, R.
Goddard, A. L.
Gore, J. R. O.
Hay, Sir J. C. D.
Hildyard, T. B. T.
Hodgson, W. N.
Hogg, Lt.-Col. J. M.
Karslake, Sir J. B.
Kavanagh, A.
Knightley, Sir R.
Langton, W. G.
Lindsay, hon. Col. C.
Lopes, Sir M.
Mainwaring, T.
Neville-Grenville, R.
Paget, R. H.
Ridley, Sir M. W.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Stuart, Lieut.-Col. W.
Treeby, J. W.
Wise, H. C.

TELLERS.

Newdegate, C. N.
Barrow, W. H.

NOES.

Adair, H. E.
Adam, W. P.
Agar-Ellis, hn. L. G. F.
Agnew, Sir A.
Amberley, Viscount
Annesley, hon. Col. H.
Anstruther, Sir R.
Ayrton, A. S.
Baines, E.
Barnes, T.
Barron, Sir H. W.
Barry, C. R.
Bass, A.
Baxter, W. E.
Bazley, T.
Beaumont, W. B.
Berkeley, hon. H. F.
Blake, J. A.
Bonham-Carter, J.
Brady, J.
Brand, hon. H.
Bright, J.
Briscoe, J. I.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bryan, G. L.
Butler, C. S.
Calcraft, J. H. M.
Calthorpe, hn. F. H. W. G.
Cave, T.
Cavendish, Lord G.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Clive, G.
Cochrane, A. D. R. W. B.
Cogan, rt. hn. W. H. F.
Colvile, C. R.
Courtenay, Lord
Cowen, J.
Craufurd, E. H. J.
Crossley, Sir F.
Davey, R.
Dawson, R. P.
Dillwyn, L. L.
Doulton, F.
Dundas, F.
Dundas, rt. hon. Sir D.
Egerton, Sir P. G.
Enfield, Viscount
Erskine, Vice-Ad. J. E.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
Finlay, A. S.
Fitzwilliam, hn. C. W. W.
Foley, H. W.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Fortescue, rt. hon. C. S.
Fortescue, hon. D. F.
Freshfield, C. K.
Gaskell, J. M.
Gavin, Major
Glyn, G. G.
Goldsmid, Sir F. H.
Goldsmid, J.
Gorst, J. E.
Graves, S. R.
Gregory, W. H.
Greville-Nugent, Col.
Gray, Sir J.
Gridley, Captain H. G.
Grosvenor, Capt. R. W.
Grove, T. F.
Hadfield, G.
Hamilton, E. W. T.
Hankey, T.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Hartley, J.
Henderson, J.
Henley, Lord
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Hope, A. J. B. B.
Hornby, W. H.
Horsman, rt. hon. E.
Hubbard, J. G.
Hughes, T.
Jervoise, Sir J. C.
Kendall, N.
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E.
Laing, S.
Lawrence, W.
Lawson, rt. hon. J. A.
Leader, N. P.
Leatham, W. H.
Leeman, G.
Locke, J.
Lusk, A.
Mackie, J.
M'Laren, D.
Majorribanks, D. C.
Martin, C. W.
Meller, Colonel
Milbank, F. A.
Miller, W.
Mills, J. R.
Milton, Viscount
Mitchell, A.
Moffatt, G.
Montgomery, Sir G.
Morris, W.
Morrison, W.
Murphy, N. D.
Neate, C.
Nicol, J. D.
Norwood, C. M.
O'Beirne, J. L.
O'Conor Don, The
Ogilvy, Sir J.
Oliphant, L.
Onslow, G.
Otway, A. J.
Padmore, R.
Pease, J. W.
Pelham, Lord
Potter, E.
Potter, T. B.
Price, W. P.
Repton, G. W. J.
Robertson, D.
Russell, A.
Russell, Sir W.
St. Aubyn, J.
Samuda, J. D'A.
Samuelson, B.
Scholefield, W.
Scott, Sir W.
Sheridan, H. B.
Sherriff, A. C.
Simeon, Sir. J.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Stansfeld, J.
Stock, O.
Stone, W. H.
Sullivan, E.
Sykes, Col. W. H.
Talbot, C. R. M.
Tite, W.
Torrens, W. T. M'C.
Turner, C.
Vanderbyl, P.
Villiers, rt. hon. C. P.
Vivian, H. H.
Waterhouse, S.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
Whitbread, S.
Williamson, Sir H.
Winnington, Sir T. E.
Woodd, B. T.
Wynne, W. R. M.
Young, R.

TELLERS.

Candlish, J.
Gaselee, Serjeant

CHURCH RATES REGULATION BILL.

(*Mr. Hubbard, Mr. Beresford Hope.*)

[BILL 42.] SECOND READING POSTPONED.

Order for Second Reading read.

MR. HUBBARD said, in order to enable hon. Members to make themselves better acquainted with the provision of his Bill, he would postpone the second reading till that day week.

Second Reading *deferred* till *Wednesday* next.

SALE AND PURCHASE OF SHARES BILL.

(*Mr. Leeman, Mr. Waldegrave-Leslie, Mr. Goldney.*)

[BILL 38.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Contracts for Sale, &c., of Shares to be void unless the Numbers by which such Shares are distinguished are set forth in the Contract).

MR. LEEMAN moved the insertion of other words in the same clause, requiring that the numbers of the shares sold should be designated in writing or printing in the token or contract of sale.

Amendment proposed, in line 19, after the word "designate," to insert the words "in writing."—(*Mr. Leeman.*)

MR. FILDES said, the Amendment would prevent any business being done by telegraph.

MR. LEEMAN answered that a man could make his bargain by telegraph, and the message would be followed by a letter with the token next morning.

MR. TURNER said, the offence which it was proposed to create by the Bill would be completed on the moment the telegraph was acknowledged, and the parties concerned would be liable to punishment.

MR. C. WYKEHAM-MARTIN said, the numbers of the shares could be sent by telegraph.

MR. TURNER replied that the numbers would make the message too expensive, and stop sales in that way.

MR. LEEMAN insisted that agreement by telegraph did not constitute a contract, and that therefore the offence contemplated could not be committed by telegraph.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 109; Noes 20: Majority 89.

House *resumed.*

Committee report Progress; to sit again upon *Tuesday* next.

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, March 21, 1867.

MINUTES.]—PUBLIC BILLS—*First Reading*—Criminal Lunatics* (55).

Committee — Trades Unions (*re-comm.*) (44); Hypothec Amendment (Scotland)* (50).

Third Reading—Duty on Dogs* (42), and *passed.*

TRADES UNIONS BILL—(No. 44.)

(*The Earl of Belmore*).

COMMITTEE ON RE-COMMITMENT.

House in Committee on Re-commitment (according to Order).

Clause 2 (Limits of Inquiry under Act).

EARL DE GREY AND RIPON said, that as the Bill was one of considerable importance, he wished to obtain from the Government such explanation as it was in their power to give as to the exact scope and nature of the inquiry. An alteration had been made in this clause when the Bill was committed *pro formâ,* and as it now stood Assistant Commissioners, independent of the Commission, might be appointed by the Secretary of State for the Home Department to conduct the Sheffield inquiry. If he could rely upon the information that had reached him, there was no probability of the inquiry with respect to the outrages at Sheffield being undertaken by the members of the Commission, and in that case it would fall into the hands of the barristers to be appointed under this clause, over whom the Commission would have no control. In that case he thought the Sheffield inquiry should be kept quite distinct from that intrusted to the Commission. He wished to know, also, what was the interpretation placed by Her Majesty's Government on the scope of the inquiry? The noble and learned Lord (Lord St. Leonards) on the side Woolsack, while admitting that the Bill conferred powers of an arbitrary character, justified that circumstance on the ground of the necessity that existed to search into the outrages that had been committed. But the words of this clause seemed of wider scope than was thus intended, and the machinery provided was of an unusual character. The words of this clause were that the Commissioners were to—

> "Inquire into any acts of intimidation, outrage, or wrong alleged to have been promoted, encouraged, or connived at by Trades Unions or Associations, whether of workmen or employers."

These words were of a very wide nature, and might cover matters of a very different kind from what was first intended. He should be glad to know whether Her Majesty's Government had any reason to suppose that outrages had been perpetrated in consequence of the association of employers? Their Lordships should bear in mind that this clause applied to the town of Sheffield generally, and the Commissioners might be called upon by those who came before them to go into many questions between employers and employed, of a very delicate character, and which might establish a very bad precedent. He would suggest that the Government were bound to define the scope of the inquiry. He wished to know also how the barristers appointed under this clause, which had been introduced in their Lordships' House, were to be paid? As the Bill came before them at first the inquiry was to be carried on by unpaid Commissioners; but if they substituted for them special Commissioners, it was evident that if men of first-rate ability were not appointed the confidence of those interested in the inquiry would be shaken, while, on the other hand, men of eminent ability would have to be liberally compensated.

The LORD CHANCELLOR explained that the Commission which had been issued defined the limits of the inquiry, which were described in the preamble of the Bill. These terms were—

> "To inquire into and report on the organization and rules of Trades Unions and other Associations, whether of workmen or employers."

And—

> "To investigate any recent acts of intimidation, outrage, or wrong, alleged to have been promoted, encouraged, or connived at by such Trades Unions or other Associations."

These words showed the extent and the limit of the inquiry, and the Bill only provided for the mode in which the inquiry should be carried on.

Lord CRANWORTH said, the powers of the Commission must depend upon the wording of the clause, and if the Commissioners exercised any powers which were not authorized by the clause, they would be inoperative, and he thought the scope of the inquiry was not sufficiently definite. The clause gave the Commissioners power to inquire into "any acts of intimidation, outrage, or wrong." These words were so general that they might include the crime of murder; and by a subsequent clause the Commissioners possessed what was in reality the power of giving pardon to those who had been engaged in any act of intimidation, outrage, or wrong, and whom they might feel it necessary to examine. If in the course of the inquiry before the Assistant Commissioners such acts were alleged and inquired into, would that be a valid act?

The LORD CHANCELLOR said, he did not understand his noble and learned Friend's objection to the clause.

Earl DE GREY and RIPON asked why the inquiry should extend to associations of employers as well as of workmen?

Lord ST. LEONARDS pointed out that the object of the inquiry was to ascertain the state of the relations between workmen and employers, out of which the outrages arose.

The Earl of BELMORE said, it was alleged by persons who professed to know that these outrages did not arise out of the working of trades unions, and the object of the Commission was to inquire whether that was true or not. It had been granted on the application not only of the inhabitants of Sheffield, but also on that of members of trades unions, who said they could prove that the allegations made against them were false, and that the trades unions were quite innocent. With reference to outrages having been promoted or committed by employers, an instance had been adduced in which a man was knocked down by a foreman because he admitted having attended a trades union meeting; and it was evident that the inquiry, the scope of which embraced the whole question of the relations of employers and employed, must extend to the means adopted by the masters to promote their own interests as against the men. The barristers, appointed members of the Commission, he supposed, would be paid in the same way as the Commissioners who conducted inquiries into bribery at elections; but that was a matter which exclusively rested with the Treasury.

Earl GRANVILLE said, he perfectly understood the historical part of the question and the pressure put upon the Government; but he had never heard a real defence of the extraordinary measures taken, nor a practical explanation of how that was to be effected by this inquiry which the ordinary processes of the law had failed to accomplish. The other day he suggested that it would be desirable to consult Sir William Erle, the Chairman of the Commission; and if Sir William Erle really approved the proposed arrangements he would bow to such authority.

The LORD CHANCELLOR said, his right hon. and learned Friend had consented to act on the Commission, and, of course, he would be guided by the powers conferred on the Commission.

Clause *agreed to.*

Clause 3 (Powers of Commissioners in respect of Evidence).

LORD CRANWORTH said, that this clause conferred extraordinary powers on the barristers, who under it could commit to prison for one calendar month persons guilty of contempt. He should not, however, take the sense of the House on the point, but he wished to move an Amendment—

> "Every Inquiry under this Act shall be conducted in public, and due Notice shall be given of the Time and Place of holding the same, but with Power to the Person or Persons conducting the same to adjourn any Meeting as Occasion may require."

The LORD CHANCELLOR said, he did not object to the proposed Amendment.

Clause amended, and *agreed to.*

Clause 4 (Indemnity to Witnesses).

LORD HOUGHTON said, the effect of this clause was to prejudge the whole question of the connection of the trades unions with the outrages at Sheffield. It appeared to him that when a matter was to be inquired into nothing should be done which might prejudge the case on one side or the other. By this clause they permitted the man who had committed the outrage to come forward and explain how he did it, and they gave him full indemnity. This implied that they would treat the principal as an accomplice, and the trades unions as the real perpetrators of the outrage. He would move the omission of the clause.

LORD WHARNCLIFFE said, the clause, he believed, represented a simple desire to arrive at the truth of a much-vexed question. The noble Lord seemed to think that the trades unions were in no way connected with outrages at Sheffield. But it certainly was remarkable that these outrages should take place in a town known to be more under the control of trades unions than any other in England, and that there had never been a case of outrage upon a workman in Sheffield unless he were in some way obnoxious to the trades unions. He did not charge these outrages upon the general body of workmen; but he believed that some small and secret executive was mainly responsible for them. He thought it would be as well to put the Bill in the fire as to strike out this clause.

LORD CRANWORTH thought there was danger of a great wrong being done to parties falsely accused by witnesses before the Commission of having instigated them to commit an outrage. Such a person could not be convicted of perjury, because the clause enacted that no evidence taken under this Act shall be "admissible against any person in any civil or criminal proceeding whatever."

The LORD CHANCELLOR said, the indemnity only extended so far as to the acts confessed to by the witness as having been committed by himself. It did not secure him against an action for giving false evidence or against an indictment for perjury.

EARL GREY thought the clause might be made clear by the insertion of a few words. He would suggest the addition of the following words at the end of the clause:—

> "Except in the case of a witness who may be accused of having given false evidence before any person conducting an inquiry under this Act."

The DUKE OF ARGYLL said, that the discussion which had taken place only proved the inconvenience of confounding the general inquiry into the working of trades unions with an inquiry into the particular outrages at Sheffield. The former question was one which ought to be entered upon in the most impartial and philosophical spirit, and it was unwise to appear to prejudge it by connecting it with the Sheffield outrages. He regarded those associations as perfectly legitimate; for workmen had a perfect right to combine with a view to raise the price of their labour, and he believed the result of a fair inquiry would be to show that their operation had been beneficial both to the labouring classes and to the interests of the country at large. The mixing up the Sheffield outrages with the general inquiry would create an impression in the minds of the working classes that the case was prejudiced; and, as the Commissioners were allowed to delegate the local investigation to others, he did not see why that investigation should not be an altogether distinct one.

The Earl of HARDWICKE, in supporting the clause, observed, that the object was not in any way to prevent working men from entering into associations for the purpose of bargaining with the employers of labour. There was a fear that there were in the unions those who oppressed the working men, compelling them by force to join these associations; and he supported this clause because it tended to protect the free and independent working man.

Amendment *agreed to.*

Lord CRANWORTH *moved* at the end of clause to add—

> "Provided also, that this Section shall not extend to indemnify from criminal Proceedings the actual Perpetrator of any Act of Outrage or other Crime; and that no Person shall be compelled to answer any Question the Answer to which might tend to criminate him as the actual Perpetrator of any such Act of Outrage or Crime."

This proviso was inserted in the original Bill, but had been struck out in the other House; and he would point out that unless it were restored a man who might avow himself to have been the perpetrator of a crime would be indemnified, while others whom he might accuse as instigators of it would be liable to prosecution.

The Earl of BELMORE said, the object of the inquiry was not to bring persons to justice, but to ascertain the origin of the outrages which had been committed. The proviso having been struck out in the Commons, he was not disposed to accede to its re-introduction; and there was a precedent for giving an indemnity even in the case of murder, for in the prosecution against Charlotte Winsor, the mother of the murdered child, although there was reason to believe that she was a participator in the crime, was allowed to give evidence.

Lord ST. LEONARDS expressed surprise at the warmth displayed by noble Lords opposite in discussing a Bill which had no party bearing. There was no ground for imputing that the Bill unfairly prejudged the question. There was no assertion that any class had committed the Sheffield outrage; but public opinion having charged it upon trades unions, those bodies had manfully come forward, and challenged the strictest inquiry. The inquiry was one of the greatest delicacy, and to stigmatize the Bill as unfair, and that it took things for granted which ought not to be assumed, was, in his opinion, most prejudicial. Nothing could be more important to masters and workmen, and not only to them, but to the whole country, than that the truth should be ascertained, and that could be done in no other way than that which was proposed by the Bill.

The Earl of KIMBERLEY said, he could not but consider the Bill unfair. The fact was it was attempted to make use of the Sheffield outrages for the purpose of inquiring into trades unions under unfavourable circumstances, and he regarded it as extremely unfortunate that the most important question affecting the working classes should be approached in a manner eminently unfair.

Amendment *negatived.*

On Question, That the said Clause (as amended) stand Part of the Bill? Their Lordships *divided*:—Contents 52; Not-Contents 19: Majority 33.

Clause *agreed to.*

CONTENTS.

Chelmsford, L. (*L. Chancellor.*)

Beaufort, D.
Buckingham and Chandos, D.
Marlborough, D.
Richmond, D.

Bath, M.
Exeter, M.
Salisbury, M.
Westmeath, M.

Amherst, E.
Bathurst, E.
Belmore, E.
Bradford, E.
Cadogan, E.
Cardigan, E.
Denbigh, E.
Derby, E.
Devon, E.
Gainsborough, E.
Graham, E. (*D. Montrose.*)
Grey, E.
Hardwicke, E.
Huntingdon, E.
Lucan, E.
Romney, E.
Stanhope, E.
Stradbroke, E.

Hardinge, V.
Hawarden, V. [*Teller.*]

Gloucester and Bristol, Bp.

Bagot, L.
Belper, L.
Blayney, L.
Broderick, L. (*V. Midleton.*)
Colonsay, L.
Colville of Culross, L. [*Teller.*]
Delamere, L.
De Saumarez, L.
Feversham, L.
Hartismere, L. (*L. Henniker.*)
Hay, L. (*E. Kinnoul.*)
Hylton, L.
Keane, L.
Redesdale, L.
Saltoun, L.
Sherborne, L.
Silchester, L. (*E. Longford.*)
Skelmersdale, L.
Southampton, L.
Saint Leonards, L.
Wharncliffe, L.
Wynford, L.

NOT-CONTENTS.

Airlie, E.
Clarendon, E.
Cowper, E.
De Grey, E.
Granville, E.
Kimberley, E.

Lichfield, E.
Minto, E.

Halifax, V.

Boyle, L. (*E. Cork and Orrery.*)

Cranworth, L.
Foley, L. [*Teller.*]
Houghton, L. [*Teller.*]
Methuen, L.
Monson, L.
Seaton, L.
Stanley of Alderley, L.
Sundridge, L. (*D. Argyll.*)
Vivian, L.

Amendments made.

The Report to be received To-morrow.

House adjourned at Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 21, 1867.

MINUTES.] — New Member Sworn — Right Hon. Henry Thomas Lowry Corry, *for* Tyrone.
Supply—*considered in Committee*—Navy Estimates [R.P.]
Public Bills—*Ordered*—Policies of Insurance *; Ecclesiastical Titles Act Repeal.*
Second Reading-Consolidated Fund (£7,924,000).*
Committee—Lyon King of Arms (Scotland)* [44].
Report—Lyon King of Arms (Scotland)* [44].

ALLEGED EXCESSES IN JAMAICA.

QUESTION.

Mr. BUXTON said, he would beg to ask the Under Secretary of State for the Colonies, What steps the Government have taken in fulfilment of the pledges given by them on July 31, 1866—namely, 1. That any grave excesses of severity on the part of any officers, civil, naval, or military, after the suppression of the disturbances in Jamaica in October 1865 should be inquired into, with a view to the punishment of the offenders. 2. That the question of compensating those whose property, according to the Report of the Royal Commission, was "wantonly destroyed," should be referred to the consideration of the Governor of Jamaica. 3. That there should be a revision of the sentences of imprisonment and penal servitude passed upon certain persons on the charge of complicity in the disturbances?

Mr. ADDERLEY said, he could assure the hon. Member that the Government had strictly fulfilled all the pledges which they gave to the House in July last. A great deal had been done in anticipation of those pledges, if with an inadequate result, still to the utmost of the power of Her Majesty's Government, in following out the measures taken by their predecessors, during whose tenure of office those lamentable events occurred. The inadequacy of the result of their measures was, just as much as the insurrection itself, and the excessive severities which accompanied it, attributable to the state of society in Jamaica, and the mutual feelings of hatred engendered there between the black population and the whites. Yet, not only had Her Majesty's Government done all in its power under the three heads referred to by the hon. Gentleman, and tried to redress the deplorable evils which had actually happened, but they had issued regulations which were intended, if possible, to prevent their recurrence, and they were still more intent upon introducing measures for the amelioration of the state of society in Jamaica, to which these sad events were mainly to be ascribed. With respect to the first part of the hon. Gentleman's question—namely, what steps had been taken by the Government to institute inquiries into any grave excesses of severity on the part of any officers, civil, naval, or military, after the suppression of the disturbances in Jamaica, in October, 1865—what had occurred on that point was as follows. But, first let him state that, in pursuance of the promise he had made, Papers would be presented by command in the course of a few days hence, giving the House every information on that subject. But with regard to what had been done—on the 30th of July, before these pledges were given, the Earl of Carnarvon issued instructions to Sir John Grant, the Governor of Jamaica, telling him that the Government deemed it a matter of primary importance that a thorough investigation should be made into any such cases as ought to be brought to trial, and requesting him to report immediately on what he had done, and also giving him general instructions that he was to take such measures as he might think best for restoring confidence to the inhabitants of the colony by the assurance that strict and impartial justice would be dealt out to all classes by Her Majesty's Government. On receiving those instructions, Sir John Grant consulted his Attorney General, and they investigated all the evidence taken before the Royal Commissioners. The result was that Provost Marshal Ramsay was brought to trial for murder at the end of October, when the Bill against him was ignored. Then Woodrow was placed on his trial, being held to be the man most clearly guilty of very flagrant misconduct in the flogging of women. He was tried at the same time, by the same court, and with the same result. There were four other cases in which depositions were taken for the purpose of indictment; but when these two bills against Ramsay and Woodrow were ignored, it was not deemed advisable on the part of both the Colonial and Home Governments to proceed further with those other cases then. The Earl of Carnarvon, however, wrote to Sir John Grant that if circumstances should afterwards arise showing that feelings in the colony had calmed down, and there was any chance whatever of getting a fair trial, he was to resume those proceedings. A correspondence also took place between the Earl of Carnarvon and Sir John Grant as to whether those persons might not be brought home to be tried in England, and it was decided between them that it was not wise after the prosecution had been hanging over these men for more than a year, to keep up those deferred and protracted proceedings. It was thought that it would be against the spirit of British criminal jurisprudence to do so; and that, moreover—what was of even more importance—the keeping alive of agitation in the island would probably be fatal to those important measures which Sir John Grant was carrying out for the social improvement and amelioration of the State of the colony. Those persons were therefore dismissed, and nothing further was done in their cases. So much for the civil officers. As to the naval officers, the right hon. Member for Oxford (Mr. Cardwell) referred to the Admiralty as early as the 18th of June the Report of the Royal Commissioners, and the Admiralty replied on the 5th of July that in their opinion the conduct of the naval officers at Jamaica was in every way approved as far as their service afloat was concerned, but that their service ashore on courts martial was deserving of disapprobation; but, at the same time, considering that in every case they were young and inexperienced officers, and brought suddenly to the discharge of a most difficult duty, and that in the majority of cases the proceedings of the courts martial on which they served were confirmed by their superior officers, it was not considered necessary by the Admiralty to proceed against them. The Admiralty, therefore, sent a despatch to Vice Admiral Sir James Hope, who was in command of the fleet at Jamaica, approving generally the conduct of the officers afloat, but reflecting severely on the conduct of those on shore, and also issuing instructions to guide naval officers in all similar cases which might occur again. With regard next to the military officers, in answer to a letter from the right hon. Gentleman opposite (Mr. Cardwell), dated May 31, the Secretary of State for War (the Marquess of Hartington), on June 10, informed the Colonial Office that the Commander-in-Chief had sent instructions to General O'Connor directing him to institute immediate inquiry into the two cases of Ensign Cullen and Surgeon Morris. On July 24 the Earl of Carnarvon asked the War Office to state the result, and suggested that these men should be tried by court martial and that officers should be sent out from England to constitute those courts martial, in order to secure perfect fairness and impartiality. General O'Connor approved that suggestion, and officers were sent out by the War Office, with the Deputy Judge Advocate to assist them, and the result was that the two men were tried and both of them acquitted. With regard to the second portion of the hon. Gentleman's question which related to granting compensation for property "wantonly destroyed" during the insurrection, the hon. Gentleman seemed to have misquoted what he (Mr. Adderley) said last year. What he said was not that the Government would take the matter into consideration as to whether compensation should be paid, but that the question was one that should be left to the Government of the colony. It was at first suggested that compensation should be paid out of the Imperial treasury; but that Her Majesty's Government at once declined to do, and the matter was left, as he said it should be, in the hands of the Government of the colony. As to the general question of compensation, all he could inform the House was that no application from either side had yet been made for it. In answer to the last question, he had to state that his noble Friend the Earl of Carnarvon had instructed the Governor, Sir John Grant, to consult the Judge who presided at the trials, to have the notes of trials referred to, and to ascertain whether there were any grounds on which any remission of the sentences passed should take place. The result was that it appeared there were cases tried by Special Commission. Three prisoners had been discharged; two of them who had been found guilty had been executed, and the others had been sentenced to penal servitude and imprisonment for various periods. The sentence upon one of those prisoners, who was convicted of a minor offence, had been remitted to the extent of one-half his term, and that upon Bogle, who had been sentenced to penal servitude for life, had been remitted to ten years' penal servitude. In the other cases there were no grounds for interference.

AGRICULTURAL GANGS — CHILDREN'S EMPLOYMENT COMMISSION.

QUESTION.

Mr. POWELL said, he would beg to ask the Secretary of State for the Home Department, Whether instructions have been given or will be given to the Children's Employment Commissioners with a view to the extension of the inquiry beyond "organized agricultural gangs commonly called public gangs" to "private gangs and other branches of agricultural employment," which the Commissioners describe in their Sixth Report (p. xxiv.) as "beyond the scope of their instructions," and whereon they consequently received evidence admitted to be "very limited and only incidental to the main object of their inquiry;" and, whether the Government intend to introduce during this Session a measure dealing with the grave evils disclosed in the recent Report?

Mr. WALPOLE said, in reply, that he could not give to the first Question of the hon. Member a decided answer at the present moment, as the matter to which it referred was under consideration. In reply to the second Question, he would observe that he thought it would be better to allow the Report to lie on the table for a little time before he announced what course the Government might be prepared to take with respect to any legislation founded upon it.

MEXICAN BONDHOLDERS.—QUESTION.

Mr. HARVEY LEWIS said, he would beg to ask the Secretary of State for Foreign Affairs, Whether information has reached him from the British Representative at Mexico that the French authorities, who have assumed the administration of the Custom House at Vera Cruz, have refused to allow the agent to receive the 25 per cent hypothecated to the Mexican Bondholders, and have remitted the funds set apart for them to the Mexican Financial Commission; and, whether he will apply to the French Government for the remittance to London of the 25 per cent now in the hands of the Mexican Financial Commission due to the Bondholders?

Lord STANLEY said, in reply, that no information of the nature mentioned in the Question of the hon. Gentleman had been received by the Government. The only allusion which he could find to the subject was contained in a letter from an unofficial person, which he had received six weeks ago, in which the writer stated that from what he had heard the French authorities were not inclined to retain possession of the administration of the Custom House at Vera Cruz. As soon as he had received any positive information on the matter he should be ready to communicate it to the hon. Gentleman.

POLLUTION OF RIVERS—REPORT OF THE COMMISSIONERS.—QUESTION.

Mr. HARVEY LEWIS said, he would beg to ask the Secretary of State for the Home Department, When the Second Report of the Commissioners to inquire into the best means of preventing the Pollution of Rivers, which has been received from the Commissioners, will be presented to Parliament?

Mr. WALPOLE, in reply, said, the Report relative to the river Calder, in Yorkshire, and the Lea, a tributary of the Thames, was printed and under the consideration of the Commissioners. He understood it would be presented to Parliament in the course of a few weeks.

CASE OF MR. CHURCHWARD.

QUESTION.

Mr. Serjeant GASELEE said, he would beg to ask the Secretary of State for the Home Department, Whether the Lord Chancellor has revoked the appointment of Mr. Churchward as a Magistrate at Dover?

Mr. WALPOLE: I think, Sir, the hon. and learned Gentleman will see the propriety of my forbearing to give a specific answer to his Question, until Her Majesty's pleasure has been made known in reply to the Address which was agreed to a few evenings ago.

STRAITS SETTLEMENTS— NEW APPOINTMENTS.—QUESTION.

Mr. O'REILLY said, he rose to ask the Under Secretary of State for the Colonies, with reference to the Statement of the Under Secretary of State for India, that the earliest period at which the India Office could ascertain the course which the Colonial Secretary was likely to pursue with reference to the new appointment in the Straits Settlement was the 18th January, he is aware that those appointments were authoritatively announced in the public papers long antecedent to that date; and, if so, whether he can explain to the House how this occurred? He must beg to explain that it was announced in November last in the newspapers that the new Governor of the Straits Settlements and other officers had been appointed; but in consequence of a Question which he put on the 11th March to the Secretary of State for India, he found that the first time the India Office ascertained the course which the Colonial Secretary would pursue in making the appointments was the 18th January, and he wished to know how it was that the newspapers were enabled to publish the appointments so long before?

Mr. ADDERLEY replied, that it assuredly was on the 18th of January that the Colonial Office made the communication in question to the Indian Department. Whether previous information on the subject reached Colonel Ord through the newspapers he was not aware. All he could say was that he could have got no authoritative statement before that date.

ARMY—MEDICAL OFFICERS.

QUESTION.

Mr. SYNAN said, he would beg to ask the Secretary of State for War, From what date it is proposed to give the increase of pay to Army Medical Officers; and if, in the new Army Medical Warrant, it is contemplated to change the denomination of, or to give any "brevet rank" to, Assistant Surgeons on completing their tenth year of service?

Sir JOHN PAKINGTON, in reply, said, the increase of pay of medical officers in the army would commence from the 1st of next month—the beginning of the financial year. As to the second part of the Question, there was no intention to make any change.

CASE OF THE "TORNADO."—QUESTION.

Sir ROBERT COLLIER said, he would beg to ask the Secretary of State for Foreign Affairs, If he has received Copies of the Depositions of the Crew of the *Tornado*, sworn before the British Consul at Cadiz on the 23rd February last; and, if so, whether he will lay them upon the table of the House?

Lord STANLEY replied, that he had not received the papers named by the hon. and learned Gentleman. He had, however, telegraphed for them, and when he got them he would lay them on the table.

ARMY—SANITARY COMMITTEE.

QUESTION.

Sir GEORGE STUCLEY said, he would beg to ask the Secretary of State for War, What is the name and date of the appointment of the Civilian Member of the Army Sanitary Committee referred to in Vote 17, Army Estimates; why, with his travelling expenses he is to receive £1,200 per annum; and, why a Medical Officer of the Army cannot perform the duties required from such Civilian Practitioner?

Sir JOHN PAKINGTON replied, that the name of the civilian member of the Army Sanitary Committee was Dr. Sutherland—a name well-known as that of a very eminent man. He was first appointed to serve under the War Department in 1855 by Lord Panmure, who sent him out to make inquiry into the sanitary condition of our soldiers in the Crimea. In 1857 he was again appointed by the same noble Lord a member of the Commission to inquire into the sanitary state of the army, and his appointment to the discharge of the particular duties which he now performed was made by Sir George Cornewall Lewis in 1862. In answer to the second Question, he must observe that his hon. Friend seemed to labour under a mistake at which he could not wonder, because of the somewhat careless mode in which such entries were made in the Estimates. The salary which Dr. Sutherland received for the duties which he now performed was £1,000 a year, but he was a member of a Committee of which the other members were unpaid, but to whom an allowance of £200 a year was given for travelling expenses. The charge, therefore, was one which was not peculiar to Dr. Sutherland. In reply to the last Question, he would simply observe that there might, no doubt, be many medical officers in the army who were quite competent to discharge the duties in question; but Dr. Sutherland was a man of the highest possible reputation, and he doubted whether there was in England a higher authority on sanitary subjects, with which he had years ago been appointed to deal because of his very great eminence, and he thought his hon. Friend would be most unwilling to deprive that gentleman of his position.

ARMY—REWARDS TO MILITARY INVENTORS.—QUESTION.

SIR GEORGE STUCLEY said, he would beg to ask the Secretary of State for War, How he proposes to divide the sum of £22,800 as a reward to Inventors; and, who are the Inventors to be rewarded?

SIR JOHN PAKINGTON said, in reply, that one of the most important portions of the Vote was the reward which was to be given to Major Palliser for his very valuable services in the application of chilled iron to military purposes. It had not yet, however, been decided what was to be the amount of the award; and he hoped, therefore, that his hon. Friend would excuse him if he did not, for the present, attempt to give a final answer to his Question.

TURKEY—CHOLERA AT CONSTANTINOPLE.—QUESTION.

SIR JERVOISE JERVOISE said, he would beg to ask the Secretary of State for Foreign Affairs, When the Report of the Cholera Commissioners at Constantinople will be distributed?

LORD STANLEY said, in reply, that the Report had not yet been received; but it would be presented as soon as it should have reached the Foreign Office.

REPRESENTATION OF THE PEOPLE BILL—FORTY SHILLING FREEHOLDERS: QUESTION.

MR. HUSSEY VIVIAN said, he would beg to ask Mr. Chancellor of the Exchequer, Whether a forty shilling freeholder, residing on his own freehold within a Borough, and paying rates, would not become a Borough Voter, and thereby lose his County qualification under the proposed Reform Bill?

THE CHANCELLOR OF THE EXCHEQUER: Yes, he would become a borough voter if he dwelt in his own house, and he would then be subject to the regulations of the existing law. But, perhaps, I may remark that such a provision would have only a very inconsiderable operation, because five-sixths of the county voters in boroughs are non-resident.

MR. HUSSEY VIVIAN: Then he would, of course, lose his county qualification on becoming a borough voter.

TURKEY—CHRISTIAN SUBJECTS OF THE PORTE—CRETE.—QUESTION.

MR. GREGORY said, he would beg to ask the Secretary of State for Foreign Affairs, to lay before the House a Copy of the Despatch dated March 6th, from Lord Lyons to the Foreign Office, giving an account of promises made by the Grand Vizier of reforms in the treatment of Christians in Turkey; and, if he has received any intimation that Russia, France, and Austria have given advice to the Porte to cede Crete to Greece?

LORD STANLEY said, in reply to the first Question of the hon. Member, that on seeing his notice, he had brought down that despatch and it was now upon the table of the House. In answer to the second Question of the hon. Gentleman he had to state that he had been informed that advice of that nature had been given by the French Government, and he understood, although he did not know with absolute certainty, that it would be supported by the Government of Russia, while he was not aware that a similar course would be taken by the Government of Austria.

REPRESENTATION OF THE PEOPLE BILL.—QUESTIONS.

MR. GLADSTONE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the conditions of voting in Boroughs, so far as they are affected by the Bill of the Government, are to be the same for occupiers of the value of £10 and upwards as for occupiers under £10; or, if not, in what respects they differ; whether it is intended by the Bill that the occupying franchise in Boroughs, which now depends upon the occupation of "any house, warehouse, counting house, shop, or other building," is henceforward to depend upon the occupation of dwelling houses exclusively; whether the total number of male occupiers stated by the Chancellor of the Exchequer in his speech on Monday consisted exclusively of the occupiers of dwelling houses; whether Her Majesty's Government will lay upon the table their estimates of the numbers of Voters to be enfranchised under the several Clauses of the Bill, together with the data, so far as they think fit, upon which such estimates are framed; and, whether an occupier claiming to be registered under Clause 34, when a composition or other reduced rate on the premises has been duly paid by his landlord, must, in order to be registered, pay the difference between such reduced rate and the rate which would have been chargeable upon him if directly rated?

THE CHANCELLOR OF THE EXCHEQUER: Sir, it will be for the convenience of the House and to the right hon. Gentleman if I group the various inquiries made by him. The first two are, of course, fresh in the recollection of the House. The right hon. Gentleman asks whether the conditions of voting in Boroughs, so far as they are affected by the Bill of the Government, are to be the same for occupiers of the value of £10 and upwards as for occupiers under £10; or, if not, in what respects they differ; and whether it is intended by the Bill that the occupying franchise in Boroughs, which now depends upon the occupation of "any house, warehouse, counting-house, shop, or other building," is henceforward to depend upon the occupation of dwelling-houses exclusively. It appears to me that these two Questions, which really refer to the same point almost, are framed rather under some misapprehension of the character of the measure we have introduced. That measure is entirely a supplementary measure; and it does not at all interfere with any privileges or conditions under the Act of 1832. Therefore, the conditions for voters in boroughs are not the same for voters of the value of £10 and upwards as for occupiers under £10. We follow precedent in that respect. The qualification of residence under the existing law is in round numbers a residence of one year; and the qualification for the new householders proposed to be enfranchised is to be a residence of two years. There is that difference at once. We follow in that precisely the precedent set in the Bill of 1854, brought in by Lord John Russell under Lord Aberdeen's Administration, of which Government the right hon. Gentleman was a distinguished Member. That Bill proposed a considerable reduction in the amount of the borough qualification. It was proposed to reduce to a £6 rental. In consequence of that reduction the Government of Lord Aberdeen proposed a residence of two years as requisite to the qualification. That is the same period of residence as we propose, without connecting it with a £6 rental. There was a proviso introduced into that measure that the rights and privileges under the Act of 1832 should not be impugned or affected by that arrangement; and there was a saving clause which I hope in more effective language is contained in the present measure—I think it is Clause 40—which entirely preserves all the privileges under the Act of 1832. So far as the present measure of the Government is concerned, that Act of 1832 is preserved in its operation without the slightest interference. I think that is an answer to the first Question. Then the right hon. Gentleman has asked whether it is intended that the occupying franchise in boroughs which now depends upon the occupation of "any house, warehouse, counting-house, shop, or other building" is henceforward to depend upon the occupation of dwelling-houses exclusively. My previous answer to a certain degree applies to this Question; because, of course, the qualification of a householder under the new franchise is limited to the possession of a house. Any person who occupies a warehouse, counting-house, shop, or other building, and being qualified under the present law, would enjoy his franchise in that respect. The reason why we have limited franchise in the Bill to the occupation of dwelling-houses is because there are no warehouses, counting-houses, and scarcely shops at a rating which the Bill particularly deals with. As for other buildings, the including them as elements of qualification would probably lead to considerable fraud. Therefore, we have resolved that it should be a *bonâ fide* household qualification. The third inquiry of the right hon. Gentleman is, whether the total number of male occupiers stated by me in my speech last Monday consists exclusively of the occupiers of dwelling-houses. No. That is the number of occupations, including, of course, all the enfranchised qualified by the possession of warehouses, counting-houses, and other buildings under the existing law. The right hon. Gentleman inquires whether the Government will lay on the table their estimates of the number of Voters to be enfranchised under the several Clauses of the Bill. On Saturday morning, I have no doubt that every hon. Gentleman will have in his hands the most complete information of the amount of the inhabited houses in every Borough, and every possible detail connected with that most important branch of the subject. I believe that to-morrow, if not already distributed, there will be Returns relating to the amounts in respect to the less important franchises, the savings banks, and education franchises. I am not clear whether there are any official Returns as to the amount of franchises arising from property in the funds. It would hardly be convenient to lay on the table an official Return in reference thereto, and it is no great matter if such a Return is not laid on the table. The House, I will assume, will accept the figures on the authority of my statement; but, with regard to the number of voters which may be produced by direct taxation, it is quite impossible for us to give any formal statement to the House. It would take a considerable time to make it out; and even if we had the time, the expense would be so great, that we should hesitate before authorizing the preparation of the Return. There is before the House a variety of documents of considerable importance, which, though they do not form materials from which an estimate could be framed, are of great value and amplitude, and upon which hon. Gentlemen will find it not difficult to arrive at sufficiently satisfactory conclusions. With respect to the question whether an occupier claiming to be registered under Clause 34, when a composition or other reduced rate on the premises has been duly paid by his landlord, must, in order to be registered, pay the difference between such reduced rate and the rate which would have been chargeable upon him if directly rated, I have to state that he certainly would be called on, if he claimed the right to be registered, to pay the same rates as his neighbour. It appears to me that it would be a great injustice to confer upon him a privilege while he was exempted from an accompanying condition to which all other claimants were subjected.

MR. GLADSTONE: There is one point on which, perhaps, the right hon. Gentleman might make his answer more complete, if he will reply to the question I am about to put. I think, under the present law which relates to £10 householders exclusively, there has been a certain ruling that part of a house will be construed as a whole house; will that law apply to householders under £10, or in that case must the entire house be occupied?

THE CHANCELLOR OF THE EXCHEQUER: Nothing in the Bill applies to houses under £10 which is not definitely and distinctly stated; but, of course, everything relating to £10 and upwards remains as before.

TURKEY—FORTRESSES IN SERVIA.

QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether a satisfactory settlement has taken place of the question of the evacuation of the fortresses in Servia by the Turkish troops; and whether, in the course of the negotiations, any guarantee has been entered into by any of the great Powers for securing the suzerainty of the Porte over Servia, farther than may be at present existing under the Treaty of Paris of 1856, or by any other diplomatic or treaty obligations.

LORD STANLEY: Sir, I have received information within the last few days to the effect that the Prince of Servia had proceeded to Constantinople for the purpose of ratifying the arrangement come to between him and the Porte. Of course, difficulties of detail may arise; but I have no reason to suppose that the arrangement will not be satisfactorily completed. With regard to the second part of the Question of the hon. Member, as to whether any guarantee has been entered into by any of the great Powers for securing the suzerainty of the Porte over Servia, I am not aware that any such guarantee has been given, or is about to be entered into by any of the great Powers. I am quite sure that under the circumstances none has been or will be undertaken by this country.

REPRESENTATION OF THE PEOPLE, SCOTLAND.—QUESTION.

SIR ROBERT ANSTRUTHER said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is the intention of Her Majesty's Government to introduce a Bill for the Reform of the Representation in Scotland in the present Session; and, if so, when the Bill will be laid upon the table; and whether the Bill will include any additions to the representatives of that part of the kingdom?

THE CHANCELLOR OF THE EXCHEQUER: Yes, Sir, it is our intention after the holydays to introduce a Bill for the Reform of the Representation of the People in Scotland, and we do contemplate an increase of its representatives.

REPRESENTATION OF THE PEOPLE (IRELAND).—QUESTION.

Mr. CHICHESTER FORTESCUE: Sir, after the Answer of the right hon. Gentleman to the Question put in relation to Scotland, perhaps I may be allowed to ask, Whether it is the intention of the Government to bring in a Bill to Reform the Representation of the People in Ireland; and, if so, when?

The CHANCELLOR of the EXCHEQUER: Yes, it is also our intention to bring in a Bill to amend the representation of the people in Ireland.

RAILWAY DEBENTURES.—QUESTION.

Mr. EDWARDS said, he would beg to ask Mr. Chancellor of the Exchequer, Whether his attention has been called to the serious financial embarrassments in which many of the Railway Companies of this Country are at present involved in consequence of the recent decision as to the validity of Debentures as a security; whether any applications have been made to the Government for relief, and with what result; and, whether he will state to the House the nature of any such application, the extent of the relief sought, and the terms proposed by the Company or Companies who have applied for such relief?

The CHANCELLOR of the EXCHEQUER: I am quite sure, Sir, it is impossible for any person who fills the place I now occupy not to have given long and most anxious consideration to the circumstances to which the Question of the hon. Gentleman refers. He inquires whether any application has been made to the Government for relief to railways, and especially with reference to debentures. Well, Sir, no doubt applications have been made to the Government for the consideration of the very perplexed circumstances which exist as regards that class of property; but when the hon. Gentleman asks what has been the result of those applications, and whether I will state to the House their nature, the extent of the relief sought, and the terms proposed by the company or companies who have applied for such relief, certainly I am bound to say, that at the present moment Her Majesty's Government have entered into no engagements whatever with any company. I am sure he will feel that communications of this kind are essentially confidential, and it would not become me to announce the names of those companies who have applied, especially as the applications have not been conceded, or to refer at all to the terms proposed to the Government by those companies that sought for relief.

BRITISH COLUMBIA AND VANCOUVER'S ISLANDS.—CHURCH IN THE COLONIES.

QUESTIONS.

Mr. CHICHESTER FORTESCUE said, he wished to ask the Under Secretary of State for the Colonies Whether he can lay upon the table Papers relating to the Union of British Columbia and Vancouver Island, and the subsequent condition of the united Colonies; and, any Correspondence between the Secretary of State and the Governor of Natal, or the Governors of other Colonies, upon the subject of the position of the Church of England in Natal, and in other Colonies?

Mr. ADDERLEY said, in reply, that two Papers relating to British Columbia had been laid upon the table the other day, and the Government would be prepared to communicate to the House without delay any further information they might receive with respect to that colony and Vancouver Island. In answer to the second Question of the right hon. Gentleman, he had to state that certain Papers which had been recently moved for in the House of Lords would be laid before the House of Commons; and when the further communications on the subject were completed they would also be presented.

TENANTS IMPROVEMENTS (IRELAND) BILL.—QUESTION.

Mr. BRYAN said, he wished to ask the Chief Secretary for Ireland, When he really intends to proceed with the Second Reading of the Tenants Improvements (Ireland) Bill?

Lord NAAS: I am exceedingly sorry, Sir, that it is not in my power to proceed with that Bill immediately. I will fix Monday week, when I really hope to be able to bring it on.

THE MUTINY BILL—FLOGGING IN THE ARMY—QUESTION.

In reply to Mr. Otway,

Sir JOHN PAKINGTON: I stated the other evening that I would give the most ample notice of the course I intend to take on this subject. I wish, with the utmost fairness, to give the hon. Gentleman and those who agreed with him in opinion public notice when, after the second reading, I would take the Committee. I thought I had given due notice of the Committee by placing it on the Orders; but since coming into the House I have learned that it is considered by some that I have not fully redeemed my pledge; but I desire to do so, and therefore will postpone the Committee until to-morrow night.

Mr. HORSMAN: Will Supply not be taken to-morrow night? Perhaps the right hon. Baronet will not bring on the Committee on the Mutiny Bill after a tolerably early hour.

Sir JOHN PAKINGTON: There is no intention whatever to interfere with the usual arrangement with regard to Supply. Perhaps the best course will be not to take the Mutiny Bill till after eleven o'clock.

Mr. AYRTON: Will the right hon. Baronet the Secretary of State for War be good enough to state the intention of His Royal Highness the Commander-in-Chief to give effect to the Resolution of the House relative to flogging, before moving the House into Committee on the Mutiny Bill?

Sir JOHN PAKINGTON: I can only say that neither now nor at any future time can I make any communication on the part of His Royal Highness which I am not authorized by His Royal Highness to make.

Mr. DARBY GRIFFITH said, he thought the Secretary of State for War had not quite understood the meaning of the Question put on the other side—whether, on account of the division which took place the other evening, it was his intention to make any communication to the House, or on his own part to the Commander-in-Chief?

Sir JOHN PAKINGTON: The only answer I can give to the Question of the hon. Member is that any communication I think it right to make to the House on this subject I will make at the proper time.

Captain VIVIAN said, he would beg to ask the Secretary of State for War, whether he will consent to put off the Mutiny Bill until some night next week, instead of taking it to-morrow night at eleven o'clock? The Bill would give rise to a long discussion, and the Question could scarcely be fully argued at so late an hour.

Sir JOHN PAKINGTON: I wish to act in this matter with the most perfect fairness. Hon. Gentlemen opposite are aware that the Mutiny Bill must be passed by the 27th of next month, and that therefore, looking at the state of public business, no time is to be lost in introducing it. However, I will proceed with the Bill on any day which may be agreeable to hon. Members; but I think that the best course to take will be to allow the arrangement I have made for to-morrow night to stand, when, if it is found to be inconvenient to take it that night, some evening may be named that will suit the wishes of hon. Gentlemen.

Mr. OTWAY said, he would beg to remark that the right hon. Baronet had come down to the House on the night following the division of the House on the question of Corporal Punishment in the Army, and had announced that he intended to disregard the Resolution, inasmuch as it had only been carried by a majority of 1. The right hon. Gentleman had challenged the supporters of the Resolution to raise the issue again when the Mutiny Bill was discussed; and therefore every opportunity should be given to hon. Members for discussing the question when it was again brought before them. Now, as it was impossible that such an important question could be properly argued at the late hour proposed for to-morrow, he thought it would be better if the right hon. Gentleman would at once name some night in the next week for bringing on the subject.

Sir JOHN PAKINGTON: I need scarcely remind the hon. Member that the attention of the House on Monday night is likely to be fully occupied, and that it is impossible to say how long the debate on the Reform Bill is likely to last. I can only repeat that, in my opinion, it will be better to allow the arrangement I have made with regard to to-morrow to stand.

Mr. HORSMAN said, he must bear testimony to the fairness with which the right hon. Gentleman had acted in regard to this matter. ["Order, order!"]

Mr. SPEAKER said, the right hon. Gentleman must confine himself to the Question he proposed to put.

Mr. HORSMAN said, he merely wished to say as much as would render his question intelligible. The question he wished to put to the right hon. Baronet was, whether, as the question which was to be raised to-morrow night was likely to give rise to a discussion which would last three or four hours, it would not be better if hon. Members were saved the trouble of attending, by one day next week being named for bringing the subject before the House?

Sir JOHN PAKINGTON said, he must decline to accede to the proposal.

REPRESENTATION OF THE PEOPLE BILL—PARTS OF LINDSEY.

QUESTION.

Mr. BANKS STANHOPE said, he wished to put a Question to Mr. Chancellor of the Exchequer relating to the omission of Parts of Lindsey from the Schedule of the Reform Bill owing to a typographical error, and would beg to ask, Whether it would be supplied in Committee?

The CHANCELLOR of the EXCHEQUER said, he had received a communication from his hon. Friend on this subject, pointing out the inaccuracy, with which he had not been previously acquainted. Perhaps the best explanation he could give would be to produce the original passage as sent to the printer on the authority of a gentleman known by the House, and whose word would be at once taken as a voucher for the truth of the statement—he meant Mr .Grieve, who draughted the Bill. There would be no objection to make the correction when an opportunity offered.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NAVY PROMOTION.—RESOLUTION.

Mr. HANBURY-TRACY, who had given notice to call the attention of the House to one of the recent promotions made by the present Board of Admiralty; and to move—

> "That the promotion by the First Lord of the Admiralty of a junior Lieutenant in the Navy, without any special or distinguished service, over the heads of hundreds of meritorious Lieutenants senior to him in the Service, is prejudicial to the public interest,"

said: I must claim the kind indulgence of the House, feeling that I am touching on rather delicate ground, and that this subject bears somewhat of an invidious and personal a character. I can only say that nobody regrets more than I do the necessity which compels me to bring it forward; and nothing would have induced me to do it had I not felt that it is a matter which affects so vitally the best interests of the service, and is one which strikes at the root of all discipline, that having been myself a naval officer I thought that I should not be doing my duty were I to allow a promotion of so unusual and unprecedented a character, which has justly caused so much discontent throughout the service, to pass by unnoticed and unchallenged. It will be, Sir, in the recollection of the House, that about two weeks ago I asked the late First Lord of the Admiralty a Question relating to this matter. I asked him if it was true that a lieutenant, whose commission as lieutenant dated from May 22, 1861, had been promoted over the heads of 370 of his seniors; and, if so, what special grounds could be assigned for so unusual a proceeding? It is, Sir, because the answer I then received was far from satisfactory, and tended rather to increase the glaring anomalies of this promotion, and showed on what a dangerous and slippery basis Admiralty promotions rest, that I have founded this Motion. The right hon. Baronet then informed me that it was quite true this promotion had taken place; but that the officer referred to was of unimpeachable character and professional reputation, and had served from five to six years at sea. Now, Sir, I have no wish either to impeach this officer's professional character or reputation, more especially so as I believe him from personal knowledge to be a very good officer, nor do I wish to blame him in the slightest degree; but what I want to point out to the House is this, that he had no special qualification whatever to justify his promotion over so many of his seniors, nor had he ever been placed in any position in which he could have shown any. How the First Lord could have stated that he had served from five to six years at sea, I am totally at a loss to conceive; as by the fairest calculation, giving him the benefit of a few doubtful days, I find that at the outside he could only have served at sea for the brief space of four years and one month. I am sure that the right hon. Baronet had no wish to mislead or give a wrong impression to the House, and that what he then stated he firmly believed, and that it must have been based on some eroneous information he had received. I sincerely trust that if he replies to this Motion he will also be able

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to state that he was labouring under a wrong impression when he made this promotion, and had at that time no idea of what a glaring injustice he was perpetrating. Perhaps, Sir, before I go further, I had better state to the House on what grounds I consider this promotion most unfair and unjust. I find, Sir, that this officer, having no special qualification whatever, has been promoted over the heads of 350 lieutenants who had served at sea for a longer period than he had, and all of whom had every right to expect to be made commanders before him; that he has been promoted over 128 first lieutenants of ships in commission; over sixty gunnery lieutenants; over forty lieutenants in command of vessels; over two lieutenants who had received the Beaufort testimonial for their special qualifications on passing at the naval college; over the senior lieutenants of the ten different stations; and lastly, over a very large number of officers who have been specially recommended for their promotion by their admirals and captains. I hope that this statement, showing so clearly what a monstrous and glaring injustice has been done, is of itself a sufficient excuse for my having brought it forward. The figures which I have given I believe to be strictly accurate; and in order to render them so, I have gone most carefully over each name on the *Navy List*, and deducted all those who, from age and other causes, could not reasonably expect their promotion, and could not be termed effective officers. The Duke of Somerset, in his evidence before the Select Committee on Naval Promotion and Retirement in 1863, stated that he considered the dead-weight of the lieutenants' list to be about 100, and as I have deducted no less than 106, I hope the right hon. Baronet will not think that I have taken any unfair advantage of him. In the answer to my question the right hon. Baronet went on to say that it was for the benefit of the service to promote a certain number of young officers, and that promotions in the navy always are, and always must be, by selection. Now, Sir, I entirely agree with him that it is most beneficial to the service that young officers should be promoted, and young blood be occasionally infused into the service; but I apprehend that nobody can deny that if young officers are selected and promoted over the heads of so many of their seniors, it should be only for recognised ability and merit, and not for personal feeling and political influence. Promotion by selection has been so well described in the Report of the Select Committee on Navy, Army, and Ordnance Estimates in 1848, that I will, with the permission of the House, read a short extract from it—

> "This power of selection is, indeed, a trust which must be exercised with justice and discrimination. The duty is invidious; but the faithful performance of it will ensure the constant promotion of officers in the prime of life to the highest rank in their profession. The public will be the gainers; great advantage will still be given to seniority; no injustice will be done if good service and approved merit be the rules which shall guide the selection, and the greatest reward will be held out to signal gallantry and to exemplary conduct."

I take it, Sir, that there can be no doubt that promotion by selection ought and must be based on seniority, except in cases of special merit and recognised ability. If you merely say that promotion is by selection, the floodgates are at once open to all manner of interest and jobbery. Admiral Elliot, in his evidence before the Select Committee, showed very clearly that the service never complains of selection provided it is for conspicuous ability and merit.

> "I think that the service would admit at once the great advantage of having some young officers coming forward; and if only a portion of the promotions was left to selection, I do not think that any branch of the service would complain, provided that the selections were for recognised ability and merit."

I hope it will not be thought that I am in favour of a pure seniority system; for, on the contrary, so strong am I in favour of promotion by selection based on seniority that, instead of wishing it done away with, I am inclined to go rather to the other extreme; and I do not think sufficient officers are promoted by selection for their special abilities and zealous conduct. The great advantages of such a system none who have seen the working of it can deny; and, Sir, it is one of the happiest contrasts that I know of to witness the difference displayed by our first and gunnery lieutenant in zeal and energy and that shown by officers of foreign navies, in which the service is based on the pure seniority system. On the one hand officers feel, or rather hope, that the eye of the Admiralty is upon them, and that their promotion is, to a great extent, dependant on their own individual exertion and energy; whilst, on the other hand, on the pure seniority system they know that they are certain of their promotion without any special exertion on their part, and have therefore no inducement to work, and, to make use of a naval phrase, "they have only to sit down and allow the wind to blow them along," and their reward is certain. I hope, Sir, that the day is far distant when we shall have recourse to this system; but, undoubtedly, unless the selections are ruled with fairness and impartiality, we shall be obliged to adopt it. The right hon. Baronet, in his answer to me the other night, implied that, having been a naval officer, I should not have asked such a question; but, Sir, I apprehend that this is the very reason why I should have done so. I naturally know the feelings and the sentiments of the rank to which I lately belonged, and I know only too well that this promotion has given rise to an amount of ill-feeling, discontent, irritation, and grumbling which it will take many years to obliterate. Can anything more heartrending or distressing be pictured than the sight of a zealous, arduous, and energetic lieutenant — one who has striven for a long number of years to earn his promotion, perhaps as first lieutenant, perhaps as gunnery lieutenant, or perhaps in command of vessels, on hearing of such an event. He naturally says to himself, What is the use of my continuing to devote my life to the Service in the manner in which I have been working, when an officer who is so much my junior, who has never been a first or gunnery lieutenant, is promoted before me? Is not such an event sufficient of itself to dishearten him for ever, and to make him long to leave a Service in which his claims for promotion, founded as they are on professional study, perseverance, and ability, pursued in a path of honour and integrity, are put on one side, and the prize of the profession is handed over to social and political interest? Many years ago it was notorious that such a state of things existed in the most glaring shape; but I am happy to say that wise administrators, aided by public opinion and the press, have, to a great extent, put an end to these unjust promotions. I have no hesitation, however, in saying that the right hon. Baronet has, with one stroke of his pen, succeeded in upsetting the whole of this policy, especially that pursued by the Duke of Somerset. He has succeeded, in the short space of six months, in resuscitating that feeling of grumbling which used to exist and be so rife in the Service; but which the Duke of Somerset, by distributing his patronage and promotions with a fair and impartial hand, succeeded in putting a stop to. Whatever may be said as to the Duke's policy in regard to the material of the navy, I am certain that no First Lord of the Admiralty ever bestowed his patronage with so fair and impartial a hand, or succeeded in giving so much content and satisfaction amongst all classes and branches of the Service. It is self-evident, from the Report of the Select Committee on Navy Promotion, that they abstained from making any recommendations or suggestions as to the manner in which officers should be promoted, solely on the ground that the system, as carried out by the Duke of Somerset, was fair and impartial, for in the Report they express themselves in the following manner:—

"XII. Your Committee have already stated that the Naval Officers are generally in favour of the principle of selection as applicable to the promotion of Lieutenants to be Commanders, and Commanders to be Captains. The Committee think that the system as worked by the Admiralty is fair. It was thus described by the Duke of Somerset: 'With regard to promotions made at the Admiralty, I go over the lists with the services of the officers; and I see also what the recommendations of the officers in command of the different stations have been; I very often receive a private letter from the Admirals in command, pointing out such and such officers as being very efficient and zealous, and who are deserving of promotion, and whose promotion would be for the good of the service. We then take an opportunity to put them, if we can, into the next batch; but, at the same time, we take them, to a certain extent, from each station, so that the officers who are serving at a distance (serving, perhaps, in the Pacific) may not see the promotion going to some other station, and not getting themselves a little share of it. We try to divide the promotions between the different stations.' The Duke of Somerset has further described in his evidence, the precautions now taken to prevent officers from being unduly passed over. While this practice continues, it may reasonably be expected that deserving officers will not be neglected, and distinguished merit will meet with its reward. Your Committee can see no reason, therefore, for recommending an alteration in the system of selection as now applied to the lower ranks; and, when well administered, your Committee entirely agree with the Report of the Commissioners on Naval and Military Inquiry, that 'it offers the best security which could be desired for reinforcing and reanimating the Navy to any extent which the circumstances of the country might, on an emergency, render necessary.'"

I have endeavoured to show to the House that this system of fairness and impartiality on which the Committee relied has broken down, and I would now ask, Sir, if in the opinion of the House some alteration should not be made, or, at any rate, some protest be entered against such an unhappy state of things. In the French navy there is a *Conseil d'Avancement,* whose duty it is, under certain rules, which are well established, to recommend officers for promotion; but I fear until a radical change is made in the constitution of the Admiralty, and permanent Heads of Departments are appointed, it would be useless to adopt this plan. The right hon. Baronet said the other night, that this promotion was one of a batch of five, and that he was unwilling to give an explanation about a single one without giving his reasons for the whole of these promotions. Sir, I believe that four of these promotions were very fair and good promotions; but is it any reason that because a judge had made four just decisions, that he should make one unjust one? The right hon. Baronet would have us believe that four blacks make one white. I hope the House will not be deceived by a doctrine so new and unprecedented, and that they will remember that it is only about one of these promotions that I take. I am informed that it is intended to justify this promotion on the ground that a similar one was made by the Duke of Somerset. Sir, I will now say that the case they refer to was under totally different circumstances, and was an act of justice to an officer who was suffering from an Admiralty order which unintentionally had a retrospective action. But, Sir, in no case can it be shown that, even if this had been bad, that it was any excuse for its being renewed. I will not, Sir, any more take up the time of the House; but will only say that I trust the House, and the right hon. Baronet, will not think that I have brought this forward in any party or factious spirit, or with any ill will to the right hon. Baronet. I cannot believe that so good an administrator could have been guilty of so flagrant an act of injustice if he had known at the time the real state of the case. I sincerely trust that the right hon. Baronet will be able to show that this was really the state of the case, and that he had no intention of bringing back the melancholy reminiscences of former days, when personal and political influence held such a withering sway over true ability and zeal. I have only to thank the House for the kindness with which they have heard me.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the promotion by the First Lord of the Admiralty of a junior Lieutenant in the Navy without any special or distinguished service, over the heads of hundreds of meritorious Lieutenants senior to him in the Service, is prejudicial to the public interest,"—(*Mr. Hanbury-Tracy,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR JOHN PAKINGTON: Sir, the hon. Gentleman having thought it his duty to follow up the Question he asked on a former evening by a proceeding of a more formal character, I have to say that I am perfectly willing to meet it. I am bound to accept, and I do accept, the statement just made by the hon. Gentleman—that he has not brought this Question forward in a party spirit, or with a factious motive. I am further bound to believe that the hon. Gentleman is influenced solely and entirely by patriotic zeal for the interest of the naval service. Assuming that to be the case, I am only sorry the patriotic zeal of the hon. Gentleman did not equally influence him a very short time ago. The charge involved in this case is that I have promoted a lieutenant of five years and eight months' service to the rank of commander, that lieutenant being—I do not know whether this is a part of the charge—a son of the Earl of Hardwicke. [MR. HANBURY-TRACY: I did not mention names.] Well, that is an omission which I think I ought to supply. I have to call the attention of the House and the hon. Gentleman to these facts:—The service of Lieutenant Yorke, as the hon. Gentleman has told us, was five years and eight months. The Duke of Somerset, when First Lord of the Admiralty, promoted a son of Sir James Graham from the rank of lieutenant to that of commander on five years and two months' service. He promoted a son of Sir Charles Wood, now Lord Halifax, from the rank of lieutenant to that of commander, on five years and two months' service. He promoted Lieutenant Fitzclarence, son of the Earl of Munster, from the rank of lieutenant to that of commander, on four years and eleven months' service. Therefore, whatever may have been the iniquity of my promotion of Lieutenant Yorke, in every possible respect those three promotions of the Duke of Somerset are worse. The services of the gentlemen promoted were shorter; and those lieutenants had no peculiar distinction beyond that which is a common one. I believe in the cases of Lieutenant Wood and Lieutenant Graham—I know nothing of Lieutenant Fitzclarence—the officers were gentlemen of unexceptionable character and good service. But, if the promotion of Lieutenant Yorke be—as the hon. Gentleman says—entirely unjust and unwarrantable, I wish to know why the promotions of those three officers, who had not seen such long service, was not also entirely unjust and unwarrantable? Sir, do not let me be mistaken. I do not complain that no Member of this side of the House should have risen to object to the promotions of the son of Sir James Graham and the son of Sir Charles Wood. Provided that their characters were good and their services honourable, as I believe to have been the case, I think it was desirable that young blood should have been introduced into the higher ranks of the navy, and, accordingly, that young officers should have been promoted. I am not the man to say that the long public services of Sir Charles Wood and Sir James Graham should have been disregarded; neither do I wish to make the least attack on those promotions. The hon. Gentleman has paid a tribute to the spirit in which the Duke of Somerset conducted his promotions. I believe, notwithstanding the cases which I have mentioned to the House, the noble Duke was guided by what he considered to be the right principle. I never heard the Duke of Somerset's promotions complained of but on one ground—namely, that he did not make a sufficient number of promotions of this kind. The fault I have found with his promotions was that in promoting lieutenants he was guided more by the principle of seniority in the service than the interest of the navy demanded. I will not appeal to gallant Gentlemen behind me, because, from the turn this case has taken, I feel that what they might say might be attributed to party feeling; but I see a gallant Admiral on the other side (Admiral Erskine), and I ask him whether it is not perfectly true that young blood should be introduced into the higher ranks of the navy. Gentlemen are treading on dangerous ground when they are undertaking to draw a distinction between one young officer of good character and another; and I think I have reason to complain of the manner in which this promotion of Lieutenant Yorke has been brought forward for animadversion. The hon. Gentleman alluded to other promotions which I had made on the same day when I promoted Lieutenant Yorke; and he said that four honest promotions could not counterbalance this one. Will the House allow me to mention the circumstances. I was called on to promote four lieutenants? As a young officer of good character I promoted Lieutenant Yorke, but my next promotion was Lieutenant Fitzmaurice, with whom I had no acquaintance. I am not aware that I ever saw him in my life; but he had been selected for promotion by the Duke of Somerset. I believe he was deserving of it; but owing to the change of Government, his promotion did not take place, and I thought it would be a great hardship if he were deprived of it by that circumstance. As to the other three gentlemen, I do not know that I can recollect their names or where they came from; but I dived into the records of the Admiralty, and found men of the highest standing and reputation. All of them had at least ten or eleven years' service, and I do not believe that any officer in the navy will say that there could have been better or fairer promotions. Since then I have had the honour of making three or four more promotions, and I think the hon. Gentleman will exert himself in vain to find fault with them. In the terms of his notice, the hon. Gentleman states that the promotion of Lieutenant Yorke was made over the heads of hundreds of meritorious officers seniors to him in the service. So was the promotion of Lieutenant Graham; so was the promotion of Lieutenant Wood; so was the promotion of Lieutenant Fitzclarence. But that statement of itself is not what I complain of. What I complain of is that the hon. Gentleman, who was a naval officer, and knows how these things are regulated [*A laugh*], should use language calculated to lead to an erroneous impression. I think hon. Gentlemen will do better if they restrain their mirth till they hear what I am about to say. The public are not aware of the fact, but the hon. Gentleman is aware of the fact, that in every one of those cases of promotion numbers of meritorious lieutenants must be passed over. In the case of those three officers whom I selected for their service and their merits, and to whose selection the hon. Gentleman makes no objection, a number of meritorious officers were passed over. The state of the navy is such—the stagnation in promotion is such—that it is impossible for all the lieutenants to look forward to obtaining the position of commander. It was in consequence of that, that the Duke of Somerset, only a year ago, introduced a new regulation making provision for the retirement of lieutenants after a certain age, and under certain circumstances. The language of the hon. Gentleman would really imply that everyone of those meritorious lieutenants, of whom he states there are hundreds, might have been promoted to the rank of commander; but he knows they never could have been, however carefully the seniority system might have been carried out by the Duke of Somerset or any other First Lord. I have no further answer to make to the hon. Member, and can only add, as the case has been brought forward, that I am not in the least ashamed of any one of the promotions that I have made.

Admiral ERSKINE said, it had not been his intention to take any part in that discussion; but as the Secretary of State for War had appealed to him, he must express his concurrence in the opinion stated by the right hon. Gentleman that promotion should not always be by seniority in the navy. Such a system would produce a stagnation in the service; it would not give them the best men, and, moreover, it would remove all responsibility from the heads of those who ought to bear it. One of the advantages of selection was that it admitted of the most searching inquiry into those promotions, and also imposed the heaviest responsibility on the person intrusted with them. He feared, however, that he did not agree with the right hon. Gentleman as to the power by which that patronage ought to be exercised. Several years ago the right hon. Gentleman expressed an opinion that promotions given by flag officers to officers serving under them, which were called "haul down promotions," ought to be placed in the hands of the First Lord of the Admiralty. The right hon. Gentleman had also expressed the opinion that "Board promotions," which were given for special acts of good conduct by the representation of the Board, should likewise cease and be vested in the First Lord. He could not think that the possessor of political power must necessarily be the best judge of professional merits; and of all the functions of the Board of Admiralty, that of recommending officers for promotion on account of special services was one which it was best fitted to exercise. As to the promotions made by flag officers he was very much of the opinion of the late Duke of Wellington, who, writing from Portugal in 1810, complained that he had not the power of making even a corporal, and declared that it was impossible the system then pursued could last; that it was absolutely necessary for the discipline of the army, and to stimulate men when under danger, that he should be intrusted with the power of promotion, and expressed a wish to see adopted in that service a practice that would be in accordance with the usage of the British navy. There never was a wiser sentence written than that. The right hon. Baronet opposite, it was only fair to say, had shown no indisposition while at the Admiralty to recognise the services of officers who had received their promotion in the precise way that he had deprecated. During his term of office he had employed three flag officers—namely, first, Sir James Hope, one of the most distinguished officers in the navy; secondly, an officer whose appointment to the command of the Channel squadron everybody approved, Sir Charles Fremantle; and a third, whose selection might not command such general satisfaction, was himself. For the last he had always felt grateful to the right hon. Baronet. All those three officers had been promoted as flag lieutenants by the admiral under whom they had acted. If these promotions by commanders were more frequently allowed, they would hear very little of discontent in the navy.

Mr. SHAW-LEFEVRE said, that if the right hon. Gentleman opposite had intended to justify what he had done in these cases by reference to the acts of his predecessors, he ought to have given them some notice that he meant to do so. In the case of Lieutenant Wood he was then able to offer a satisfactory answer to the right hon. Gentleman. That officer was a flag lieutenant to Admiral Sir Baldwin Walker; and it was an old rule that on striking his flag an admiral was entitled to a promotion for his flag lieutenant. That rule was felt to be open to objection. It was therefore laid down in 1864 by the Duke of Somerset, that no flag lieutenant should be promoted unless he had previously served three years. Within a few weeks of this order, Admiral Walker struck his flag, and applied for promotion for Lieutenant Wood. It turned out that the latter officer had only served two years which reckoned as sea service, and two years as flag lieutenant, and did not come quite within the rule thus laid down by the Board. It was thought rather hard that the rule should act retrospectively in his case, and accordingly he was appointed to serve in the *Excellent* for one year, in that way making up the prescribed time for obtaining his promotion. He had no doubt that some similar explanation might be made in the two other cases to which the right hon. Gentleman had referred as having occurred during his predecessor's tenure of office, had notice been given that they would be mentioned. He hoped his hon. Friend would not press his Motion, but rest satisfied with the discussion that had taken place.

MR. R. W. DUFF said, that Captain Fitzclarence had been flag lieutenant to Admiral Smart, who had been commander of the fleet. He had no desire to claim a monopoly of virtue for a Whig Board of Admiralty; but thought that, however satisfactory to the House might have been the reply of the right hon. Baronet in a party point of view, alleging as he did that he had made these promotions in the same way his predecessors had done, it would scarcely be equally satisfactory to the naval profession.

MR. AYRTON said, that having served on the Committee upon Naval Promotion and Retirement for a Session, he found that the greatest difficulties stood in the way of a class of officers on whom the wellbeing of the service much depended obtaining employment — namely, those who were promoted from the rank of lieutenant to that of commander. He had never heard anything more distressing than the statements made by officers in the navy as to the course they had been compelled to take for the purpose of obtaining their promotion, which justice had denied them on their merits. One officer said he matriculated at one of the Universities to obtain a degree, in order that he might bring himself to the notice of the Admiralty; and another officer owed his promotion to the simple fact that he could speak French. He (Mr. Ayrton) put the following question to the Duke of Somerset:—

> "Has the practice been entirely given up of promoting officers from the rank of lieutenant to commander for the gratification of Lords of the Admiralty and other persons of influence?"

The Duke of Somerset's answer was—

> "I think so. We have now a printed form, which we send back, telling the people that they are not to interfere, and they are enabled to explain that the Admiralty do not intend to attend to their explanation."

The principle, in short, which had been laid down by the Duke of Somerset was that of seniority, qualified by the passing over of those at the head of the list, who, for one reason or another, were not considered proper objects of promotion, at the same time supplementing the list by choosing officers who had special recommendations in their favour which could be quoted as sufficient reasons for their selection. That was a principle which the Committee had accepted, and it had been clearly shown that whatever might have been the abuses in the navy in former times they had been abandoned by the Duke of Somerset, and that he had put the administration of its affairs on a better footing. If the present question had been brought forward as a mere party question, he for one should have abstained from entering into the discussion. Such, however, was not the case, and when he found the right hon. Gentleman, the late First Lord of the Admiralty, arrogating to himself the right of making every fifth promotion in the navy according to his own will and pleasure, and irrespective of any of those special qualifications on which the Duke of Somerset had insisted, he could not refrain from protesting against such a system. The right hon. Gentleman had, indeed, informed the House that Lieutenant Yorke was the son of a noble Lord, and that he had behaved very properly in the navy. Well, nobody supposed that the right hon. Gentleman would have put a person who had been a disgrace to the service over everybody else; but he should like to know what were the special recommendations from the Admiral on the station, or otherwise, which justified Lieutenant Yorke being placed over other officers on the ground of superior merit? If any such grounds were adduced he was sure his hon. Friend (Mr. Hanbury-Tracy) would be delighted to accept the statement as satisfactory, and to withdraw his Motion. The only grounds advanced by the right hon. Gentleman, however, for the appointment was that Lieutenant Yorke was the son of a noble Lord, and a political friend of his own, while he laid down, as he had said before, the doctrine that having made four ordinary promotions he was entitled to make every fifth promotion without regard to seniority. [SIR JOHN PAKINGTON: I laid down no such doctrine.] The right hon.

Gentleman had done worse; he had carried that doctrine out in practice. He must know that it was of the utmost importance that the First Lord of the Admiralty should set in that respect a good example. There could be no doubt that the tone of the promotions throughout the whole service—and the admirals had considerable patronage—must be greatly affected by any course which the head of it might think proper to pursue. He protested against the doctrine that promotion in the navy was to be regulated by personal friendship or political considerations. The instance in question was one he could not help thinking of a most pernicious character. It showed a tendency to return, notwithstanding the efforts of the Duke of Somerset, to the worst times of the navy; and it was, he thought, the duty of his hon. Friend to press his Motion to a division, and thus afford every hon. Member on both sides of the House who had a regard for the welfare of his country and of that great service in which they all felt so deep an interest, an opportunity of voting in its favour.

Mr. BAILLIE COCHRANE said, the great argument used by the hon. Member in support of the Motion seemed to him to be that Lieutenant Yorke was the son of the Earl of Hardwicke.

Mr. AYRTON: I argued entirely without reference to his being the son of anybody.

Mr. BAILLIE COCHRANE said, that the appointment would never have been commented on in that House had not Lieutenant Yorke happened to be the son of the Earl of Hardwicke. Was it any objection to a young and deserving officer that he was the son of one who himself had been distinguished in the service? He must protest against the course which had been taken by the hon. Gentleman by whom the subject had been brought forward. None of the appointments which had been made by the Duke of Somerset had been so questioned. When the age of many of our senior naval officers was taken into account, it was best that the younger men should obtain promotion to the higher posts in the service.

Mr. CHILDERS said, that the question at issue did not stand in altogether a satisfactory position. In meeting the charge with a mere *tu quoque* retort, Gentlemen opposite did not seem to attach to it the importance which it deserved. But when he made up his mind to adopt that line of defence, it was incumbent on the right hon. Baronet to give notice to the Duke of Somerset, as to those who in this House would be likely to defend his acts, that he intended to impugn particular promotions made by him. On the other hand, he thought his hon. Friend (Mr. Hanbury-Tracy) was asking the House to pronounce a decision on the question before it without those papers and that information which it was desirable it should possess. He would therefore suggest to him that he should move for Returns of the services of Lieutenants Wood, Graham, Fitzclarence and Yorke, of the recommendations in favour of these officers to the Admiralty, and of the regulations under which they were promoted. He did not think it would be possible for the House to pass the Resolution to which it was invited to assent on the bare statement—he dared say correct—of his hon. Friend, even supplemented by the reply of the late First Lord of the Admiralty (Sir John Pakington). If therefore the right hon. Gentleman who at present filled that office (Mr. Corry) would give a promise that the papers to which he referred should be laid on the table, he hoped his hon. Friend would agree to the withdrawal of his Resolution.

Sir JOHN HAY said, he wished to detain the House for a few moments, because he had taken great interest in the question of promotion in the navy, and he thought the House was in danger of being misled by the facts which had been brought out in the discussion. He was assured that the First Lord of the Admiralty would have no objection to give the papers just asked for, and when hon. Members had those in their hands they might come to a calm decision as to the merits of the appointment which was impugned. He wished, however, to allude to the advantage of promoting younger officers at certain times, so that it might not be rendered impossible that our fleets might be properly commanded. A naval officer was not promoted to be a lieutenant under the age of twenty, and it was not until after ten or fifteen years' service, or when he was about thirty-five, that he could become a commander; and if anything like the same proportion in promotion were observed, he would be fifty before he was a captain, and seventy before he could be an admiral, so that promotion simply by seniority was not desirable in the naval profession. If, however, a lieutenant at twenty-one were sometimes made five or six years after a commander, and five or six years after that a captain, he might perhaps hope to be in a position before he reached fifty to hoist his flag. How were the Admiralty, then, to select, when there was no opportunity for distinguished service? The only course to follow was to do what had been done by his right hon. Friend in this instance, and previously by the Duke of Somerset in several instances. Captain Yorke was an officer of good service, with everything in his favour. His hon. Friend the Member for Montgomeryshire did not assert that any other officer of Captain Yorke's standing had higher claims; but what he objected to was that the gallant officer was promoted over the heads of senior officers.

MR. HANBURY-TRACY said, there were several officers of the same standing who had stronger claims than Captain Yorke.

SIR JOHN HAY said, they were not those distinguished claims which would call for the attention of the authorities. He believed, if the papers which the hon. Member for Pontefract (Mr. Childers) had asked for were laid upon the table, the House would agree that if young officers were to be selected for promotion, the Duke of Somerset and the right hon. Gentleman were justified by usage in the choice they had made. There was no feeling of jealousy in the profession with regard to the promotion of men like Lieutenants Graham and Wood when no other officers of their rank and standing had any higher claims. The son of an old and distinguished Admiral like Lord Hardwicke, who had also been a former colleague of the right hon. Gentleman, had a similar claim. As regarded the case of Lieutenant Wood, he (Sir John Hay) found in an official paper a statement that the sea time in the *Excellent* was not allowed to count, as Lieutenant Wood did not pass in the time allowed, which was eighteen months, though no blame was to be attached to Lieutenant Wood, who received his promotion with perfect fairness on account of the merits of the nobleman whose son he was.

MR. SHAW-LEFEVRE said, he wished to ask if the hon. Baronet meant to say that Lieutenant Wood had not served his time as flag lieutenant, and was promoted contrary to the regulations on account of the merits of the distinguished man whose son he was.

SIR JOHN HAY said, that the gallant officer had not served his time when flag lieutenant, and was promoted according to the ordinary regulations on account of the distinguished man whose son he was. He was happy to bear the highest testimony to the characters of both Commander Wood and Commander Yorke, who had both been midshipmen of his. Commander Wood was promoted a year before Commander Yorke, but no exception was taken to it; and when the papers were laid upon the table, it would be seen that his right hon. Friend (Sir John Pakington) had made a promotion which, under existing circumstances, was exceedingly fair.

MR. GLADSTONE said, that the question assumed a character of very considerable gravity. The right hon. Gentleman (Sir John Pakington) defended his conduct by saying that the course he had pursued was parallel to that followed by former First Lords of the Admiralty; and the hon. Member for Honiton (Mr. Baillie Cochrane) expressed an opinion that this question would never have been heard of if the gentleman whose name was brought forward to-night had not been the son of the Earl of Hardwicke. That was as much as to say that the hon. Member for Montgomery had taken up the question solely as a political partizan. The hon. and gallant Gentleman who last spoke laid down a principle as to promotion in the navy which merited the most serious consideration of the House. The hon. and gallant Member stated—and if the House passed over the statement in silence it might be thought that the House accepted it—that the sons of gentlemen of distinction on one side of politics or the other might on that ground be carried, without offence, over the heads of their seniors in service and of equal merits. That was an announcement of an exceedingly grave character. He confessed, with all deference to feelings audibly expressed in some quarters of the House, and after hearing the able statement of the hon. and learned Member for the Tower Hamlets, the suggestion of the hon. Member for Pontefract appeared to him a wise one. He did not mean to say that the statements of the hon. Member (Mr. Hanbury-Tracy), and of the right hon. Baronet, were not perfect, good, and valid as far as they went; but the effect of producing papers would be that, not only the attention of the Members now present, but also of the whole House, would be drawn to the subject, and to the broad declaration of a Gentleman holding office in connection with the Admiralty with respect to the principle on which those promotions should be made. It was most desirable that all the facts of the case should be laid before the House, and then, however reluctant to enter into questions of this kind, he should not decline to give a judgment. It would be well to defer pronouncing a formal opinion until the subject was fully in possession of the House.

SIR JOHN PAKINGTON said, he wished to say one word in explanation in consequence of the misapprehension of the right hon. Gentleman (Mr. Gladstone), who seemed to be under the impression that he (Sir John Pakington) defended Lieutenant Yorke's promotion, on the ground that the Duke of Somerset made three similar promotions. What he (Sir John Pakington) had said was, that Lieutenant Yorke's promotion was consistent with the interests of the naval service; but that that appointment had been made the subject of attack, while the appointments of the Duke of Somerset of a similar kind had been left unnoticed.

MR. SERJEANT GASELEE said, he must enter his protest against the doctrines laid down for regulating naval promotion which they had heard that night. While they were endeavouring to clear the navy from political appointments, and to do that justice to it which it had never yet received, it had been broadly stated that because an officer was the son of an admiral, and the son of a Lord, therefore he was to be promoted. He hoped the hon. Member would take the sense of the House upon this question.

MR. HANBURY-TRACY said, he would ask for leave to withdraw the Motion, on the ground that the papers to be produced might strengthen his case, and on a future day he would call attention to the question.

Amendment, by leave, *withdrawn.*

NAVY—NAVAL ENGINEERS.

OBSERVATIONS.

SIR EDWARD DERING said, he rose to call attention to the position of the Naval Engineers. Last year he took occasion to make some suggestions on their behalf, and since that time the Admiralty had allowed pensions to be given to the widows of naval engineers, and a certain increase of pay was granted to the inspectors of machinery afloat. At the same time, no provision was made for giving the inspectors half pay on retirement. There was a considerable difference in rank between inspectors of machinery and chief engineers, the former ranking as post captains, and the chief engineers as lieutenants in the navy. The case of the chief engineers was deserving of attention. No engineer was allowed to enter Her Majesty's naval service until he was declared competent to enter on the discharge of his duties. He then had to serve for a period which averaged between thirteen or fourteen years before he became a chief engineer; and before he could attain the highest rank and the highest rate of pay he must show twenty-five years of service. He did not complain of this; but what he did complain of on the part of engineers was this, that having served for fourteen years in the lower rank, instead of being allowed to count that period, by the regulations of the Admiralty they were only allowed to count four years. Consequently, instead of having eleven more years to serve, they had twenty-one years more to serve after promotion before attaining the highest rate of pay. Thus, an engineer entering the navy at twenty-one or twenty-two, would be thirty-five by the time he was made chief engineer. When he got to the top of the tree as chief engineer, he would have arrived at the ripe age of fifty-six, and, as according to the rules of the service, officers must retire at sixty, he would have only the intervening period between fifty-six and sixty for the full enjoyment of the rewards and rank he had a right to expect in return for his long and meritorious service of thirty-five years. It was very difficult to see on what principle these regulations were based. Considering the very strict examination he had to undergo before entering the service, the engineer was placed in a very inferior position to the assistant-surgeon and other officers holding corresponding rank. The assistant-surgeon was made a surgeon after ten years, and was allowed to count every year of that period of service instead of being cut down to four years, as was the case with naval engineers. Last year, when he brought forward this matter, he was told that the case of the assistant-surgeons was exceptional owing to their long and expensive education. But the examination which must be passed by engineer students before entering the navy, which, in addition to perfect competency and skill in engineering, and a knowledge of the properties of steam, embraced plane trigonometry, hydrostatics, mechanics, dynamics, and elementary chemistry, was quite equal to what was required of assistant-surgeons. He was encouraged to think that the Board of Admiralty were of opinion that the principle he advocated was a sound one; because by the Admiralty regulations, commanders and captains were allowed to count their time as sub-lieutenants, in order to qualify them to receive Greenwich Hospital pensions. He asked the same principle to be applied to the engineers which was applied to captains and commanders. There was another point on which concession would not increase the Estimates, while it would do away with a great deal of individual hardship. An increase of pay now took place at intervals of five years. What he ventured to suggest was that the increase, instead of taking place every five years, should be spread proportionably over that period. At present, if a man were compelled to retire shortly before he had completed twenty years of service, he would have a retiring allowance upon only fifteen years service, and the difference between retirement at twenty years' service and fifteen years was no less than £45 per annum. There was therefore in this matter a case of considerable hardship. The increase of pay to assistant-surgeons, which had formerly been every five years, now took place every four years; while to paymasters the period was also reduced. All he asked was that in these matters engineers should be placed in the same position with naval officers of corresponding rank. He would ask also why the names of naval engineers were not inserted in the *Navy List?* Even the engineers coming from the Mercantile Navy, and entering the Royal Naval Reserve, had their names inserted in the *Navy List;* but naval engineers were the only officers in the service whose names were not to be found in the *Navy List.* This was a very invidious distinction, which had given rise to a great deal of heart-burning and unpleasantness. Naval engineers messed in the ward-room with officers, and they were fully entitled to have what he asked for them. He trusted the courteous disposition of the noble Lord (Lord Henry Lennox) would take their case into favourable consideration.

LORD HENRY LENNOX said, that in considering the questions of the hon. Baronet, he must in the first place state that, having received from him no notice as to what were the peculiar grievances he was about to bring forward, he feared he should not be able to reply in full to all his questions, the more so as no memorial from this class of officers is before the Admiralty. But by reference to the debate of last year he had been enabled to gather what he presumed was the purport of the complaints. He would take the questions *seriatim*, as they had been put to him. First of all, the hon. Baronet wished that inspectors of machinery should be allowed to have increased half-pay. That question had been under the consideration of the Board, and no decision had been come to yet on the point. Secondly, the hon. Baronet asked that these gentlemen should be allowed to count the whole of their time. He could not well compare engineers with assistant-surgeons, chaplains, and naval instructors, who did enjoy that privilege, because assistant-surgeons paid for their own education, which was an expensive one, and the same remark applied to chaplains and naval instructors. The hon. Baronet might probably say that some of these engineers were taken from private yards, and thus had paid for their own education; but all connection with the private trade had now ceased, and all engineers in the Royal Navy were called upon to pass through the factories and dockyards, and paid nothing for their education. This being so, he thought that no aid could be granted them upon this point. As to the third matter, the hon. Baronet asked that the engineers should have an increase in their pay every three, instead of every five years. He could hold out no hopes of such an alteration in the rate of pay being made. It was not granted to any other class of officers. Then the hon. Baronet said that the engineers felt most keenly the implied slight offered to them by their names not appearing in the *Navy List*, and he requested to be informed of the reason for their being omitted. The hon. Baronet not having given notice of his intention to put a question upon this subject he could give him no distinct answer as to why the names of the lower grade of engineers did not appear there. The hon. Baronet, however, must be aware that the names of those in the upper grades of the engineers did appear in the *Navy List.* Having answered all the questions of the hon. Baronet, he must be permitted to point out to him that last year the pay of five inspectors of engineers was raised by £100 a year; and that the pay of others in the same branch of the service had been raised by £50. The present Board of Admiralty had also given to the engineers that which they had been so long anxious for—namely, the rank of commanders after fifteen years' service. If the hon. Baronet required further explanations upon the subject, he would be happy to communicate with him by letter or otherwise, and to afford him every information in his power.

NAVY—ROMAN CATHOLICS.

OBSERVATIONS.

Mr. O'REILLY said, he rose to call attention to the provision for the spiritual wants of Roman Catholics in the Royal Navy; and asked the First Lord of the Admiralty, how far the recommendations approved of by Sir John Pakington in his Letter to Lord Derby, dated 1859 (see Parliamentary Paper, 10th February 1860, Navy) have been carried out? By the principle acted on of late years all denominations of Christians in the Royal Navy were to be treated as on an equal footing. The proportion of Roman Catholics in the navy had been 16 per cent, and was now 12½ per cent. But while the total expenditure for religious instruction in the navy was £39,500, the allowance in respect of Roman Catholic clergymen was only £940, or less than 3 per cent of the whole. In 1859 a memorial in reference to Roman Catholics in the navy was laid before the Admiralty, and it was concerning the recommendations of Sir John Pakington upon this memorial that he wished to inquire. The first recommendation was, that when the Protestants were assembled for worship the Roman Catholics should be assembled separately, and prayers read by a Roman Catholic priest or officer. Secondly, that Roman Catholics should be assembled separately two or three times a week for instruction in their religion. Many of these recommendations could, of course, only be carried out when the ship was in harbour. Thirdly, that when a Roman Catholic was ill, he should, where it was practicable, be attended by a clergyman of his own persuasion. Fourthly, that Roman Catholics should, when in harbour, be assembled and marched to Divine service. Fifthly, that where a hospital ship was attached to the fleet, a Roman Catholic chaplain should form part of the staff. Sixthly, that the small steamers which took the liberty men ashore should be employed to take men to the chapel ships. Seventhly, that when a man presented himself for entry to the navy, no question should be asked as to his faith until he should be pronounced fit for service, and that the religion should be added to the description of each seaman. Eighthly, that this description should accompany the man when he went into hospital, so that the chaplain might more easily know whom to visit. Ninthly, that when practicable, a Roman Catholic priest should perform the funeral service over members of that religion. Tenthly, that the authorities of naval hospitals should request the Roman Catholic ecclesiastical authority at the spot to name a chaplain to attend the sick Roman Catholics, and that this person should have free access to the hospital. Lastly, that arrangements should be made for performing Divine service and reading prayers in hospitals. Further, he wished to inquire into the position and pay of the Roman Catholic clergy in the navy. There were Roman Catholic chaplains at Sheerness, Portsmouth, and Devonport; their duties were such that they occupied their whole time, and yet their whole remuneration was £120 a year. Practically, these were permanent appointments, and the amount of pay certainly was not enough to permit these gentlemen to make any provision for old age. He thought that they were well entitled to a retiring allowance. In other ports very small payments were made to Roman Catholic clergymen. Last year there was an entry in the Estimates of £60 for Malta, but this year there was none. At Gibraltar and Hong Kong there were no allowances. At Bermuda, Jamaica, and the Cape of Good Hope the allowance was £20; and at Trincomalee only £10. At Haslar the Protestant clergyman received £620 and the Roman Catholic £30; and at Yarmouth £15. He would suggest that the naval authorities should take into consideration whether the system adopted in the army of payments *per capita* might not be extended to the navy.

Lord HENRY LENNOX said, he—

Mr. SPEAKER said, the noble Lord was not at liberty to speak again, as he had already spoken in the course of this discussion.

Mr. OTWAY said, he knew that the engineer officers of the navy were most grateful for the benefits which had been conferred upon them. They would regard it as a further boon to have their names inserted in the *Navy List.* He wished to put a question with respect to the pay of dockyard labourers, which he had no doubt the noble Lord (Lord Henry Lennox), whose able statement the other night he had heard with satisfaction, would be able to answer. He had always understood that the late Board had increased the pay of the dockyard labourers; and he wished to know whether the increase was to be confined to the class of labourers who received only 13*s.* a week, or whether the augmentation applied to the higher classes of labourers?

MR. WHALLEY said, he wished Roman Catholic priests to receive such a liberal remuneration for their services to sailors in the navy as would render them more amenable to the rules and to discipline than their brother priests had been in regard to services in prisons. But he desired to know whether the services of Roman Catholic priests were to be appreciated by the importunity of their applications to the Government, and by the influence they exercised in that House, or were they to be regulated according to the exigencies of the service? He hoped the Admiralty would consider how far the services of Roman Catholic priests would conduce to the interests of the navy and to the safety of the country. He agreed with the hon. Gentleman (Mr. O'Reilly) that the remuneration of Roman Catholic naval chaplains should be at least on as liberal a scale as the pay of clergymen of other denominations. He might remind the House, however, that many clergymen of the Church of England had to live and maintain a respectable appearance on £80 or £100 a year; while, among the Dissenters, £100 or £150 was considered amply sufficient. In regard to Roman Catholic inmates of prisons, the attendance of the chaplains upon them was not compulsory under the Act of Parliament.

LORD HENRY LENNOX said, that it was from no feeling of disrespect to the House that he had been deputed by his right hon. Friend the First Lord of the Admiralty (Mr. Corry) to reply to the questions which had been asked; but his right hon. Friend had only been in office a short time, and had been obliged to turn nearly the whole of his attention as yet to the mastery of details. He could assure the hon. Gentleman the Member for Peterborough (Mr. Whalley) that the pay and appointment of Roman Catholic chaplains would be regulated, not by the importunities of hon. Gentlemen who professed the Roman Catholic religion, but solely by the exigencies of the service, in the hope that the men would be taught their duty to God and their Queen. He would now answer the points raised by the hon. and gallant Gentleman (Mr. O'Reilly). The recommendations issued in 1859 had been carried out as far as was practicable. The first question was whether the Roman Catholic seamen who entertained religious scruples about attending the service of the Church of England might absent themselves from its performance. That permission was already granted; but as it was indispensable that perfect order and silence should be observed in the ship during the performance of Divine service, the men so absenting themselves were obliged to remain in the mess room. As to the boys assembling on board the ships for religious instruction, he had to call the attention of the hon. and gallant Gentleman to the fact that as the Protestant clergyman was always on board the ship he could summon the boys and administer instruction to them at times which would not only be convenient to himself but which would not interfere with the discipline of the service, while a Roman Catholic chaplain could not fix certain hours or certain days in the week without interfering somehow with that discipline which it was necessary to preserve. The hon. Gentleman asked whether Roman Catholic priests were sent for when Roman Catholic seamen were dangerously ill. That, he might say, was already the invariable practice where it was possible. No orders, however, had been issued on the subject, and the matter was, as a rule, left to the humanity and good feeling of the captain. With regard to the next question, whether Catholic sailors were allowed in harbour to attend their chapel and mass, the hon. and gallant Gentleman had nothing to do but to turn to the printed instructions and see that those sailors, when there was a Catholic officer, were marched under his orders to the chapel where their religious service was performed. Thus far all the recommendations had been carried out. In answer to the next question, whether chaplains should be appointed to the hospital ships of the fleet, he might observe that there were no hospital ships, as a rule, attached to the fleet. On the next point the hon. and gallant Gentleman laid considerable stress, labouring apparently under the impression that the recommendation had not in this respect been carried out. But in the case of ships at Plymouth Sound, Spithead, and Portsmouth, a small steamer was employed on Sundays to collect the Roman Catholic sailors, to carry them on shore, and after service to take them back to their respective ships. [Mr. O'REILLY: Will the noble Lord state when the practice was introduced?] He thought about eight or nine months since, but had taken no trouble to ascertain the date, regarding the fact as the all-important matter. The hon. and gallant Gentleman next asked whether persons on presenting themselves for entry into the navy were asked any questions about their religion, and whether Roman Catholic seamen taken to the hospital ship might not be placed in a separate ward, so that their minister might be able to attend better than he now could do to their spiritual wants. As to the first part of the question, the recommendation had been carried out in full, for no man was asked on entering the Royal Navy to what religion he belonged. The second suggestion it would be impossible to carry out, because the inmates of the naval hospitals were classified according to their diseases, and not according to their religion, and it was highly improbable that the whole of the Roman Catholics in a hospital would be afflicted with the same complaint. In answer to the next point, he would say that the funerals of Roman Catholic seamen were accompanied with the usual rites of their religion when vessels were in harbour, but with ships at sea, and no priests on board, such a thing was, of course, impossible. The Roman Catholic chaplain was permitted to read prayers to the sick on board, but he did not believe that there was any convenience for celebrating mass. Almost all the recommendations made in 1859 had been carried out by those who had succeeded his right hon. Friend (Sir John Pakington) at the Board of Admiralty. He confessed that the position of the chaplains at Plymouth, Devonport, and Sheerness was, to a certain extent, anomalous, and that they ought to have a pension on which they could eventually retire. These gentlemen devoted a great portion of their lives to ministering to the spiritual need of the sailors, and they were, he thought, entitled, if possible, to a favourable consideration of their claims. The next point touched on by the hon. Gentleman had relation to the salaries given to Roman Catholic chaplains on foreign stations. He instanced two places, Hong Kong and Malta, as stations at which the Roman Catholic priests received no pay. He was happy to undeceive his hon. and gallant Friend, for at Malta £110 were taken this year for the payment of the Roman Catholic priest; and at Hong Kong a sum of £33. Then the hon. and gallant Gentleman expressed his opinion that the Roman Catholic chaplains in the navy should be placed in the same position as those of the army. He was happy to inform him that the Rev. Mr. Connor, at Haulbowline, was receiving salary under the capitation grant. Originally, when his congregation was very small he refused payment on this scale, and Lord Clarence Paget, then representing the Board of Admiralty, granted him an annual salary. Since then the numbers had increased, representations had been made which were felt to be perfectly reasonable, and the Board of Admiralty now in office had complied with Mr. Connor's request that he should be paid according to the capitation grant. The hon. Gentleman complained of the position of three chaplains sent to perform duties in various ports; but he must remember that they were on exactly the same footing as clergymen of the Established Church called on to officiate for small bodies of troops, and receiving exactly the same allowances. He had now answered *seriatim* the points put to him. He would only add that the right hon. and gallant Member for Huntingdon (General Peel), recently Secretary of State for War, had been first to take practical action in the direction of endowing Roman Catholic chaplains in the army, and to give practical proof of the respect in which their services were held. He should feel glad if it fell to the lot of the Board of Admiralty, of which he was a Member, to complete this act of justice to Roman Catholic chaplains in the navy by the grant of retiring pensions. In reply to the hon. Member for Chatham (Mr. Otway) he begged to say that the Establishment labourers, 885 in number, received 2*s.* 4*d.* *per diem.* There were 567 hired labourers of the first classs entitled to pensions who received 2*s.* 3*d.* a day. It was proposed to increase their pay 1*d.* daily, so as to bring them on an equality with the Establishment labourers. The hired labourers in the second class received only 2*s.* 2*d.* a day, and it was proposed that in the case of 2,142 men employed in the various dockyards 2*d.* daily should also be added to their pay, so as to bring them all up to

2*s.* 4*d.* a day. The whole cost of the increase to the country would be £7,750. He quite concurred in the belief that this money was well expended. He believed no class in Her Majesty's service was better deserving of recognition.

MUTINY BILL.—OBSERVATIONS.

Sir JOHN PAKINGTON said, it would be for the convenience of the House that he should state, after what had passed that evening with regard to the Mutiny Bill, that it was proposed to postpone the Committee on the Bill until Thursday next.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Question again proposed,

"That 67,300 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March 1868, including 16,200 Royal Marines."

Mr. CHILDERS: Mr. Dodson—No one, I am sure, could have examined the present Estimates, and considered them by the light of the very interesting statement of my noble Friend the Secretary to the Admiralty (Lord Henry Lennox), without being impressed with their importance, especially with reference to their amount. I will subject them, in the first place, to the same test of comparison which was applied by the gallant General the Member for Huntingdon (General Peel) to the Army Estimates—that is, I will compare them with the audited account of naval expenditure for the last completed year—namely, 1865-6. The total sum now asked is £10,926,523. The audited account for last year amounts to £10,209,840. The increase from this point of view is therefore £716,683. Or I may compare these Estimates with the original Navy Estimates of 1865-6 and 1866-7. The former amounted to £10,432,610; the latter to £10,392,224. We may say, then, in general terms, that the present Estimates are about £500,000 in excess of those proposed on the last two occasions by the late Admiralty, and £700,000 more than the amount actually spent. But, as a matter of finance, this is not the only consideration which should weigh with the House on the present occasion. We have now on the table all the Estimates of expenditure for the approaching year; and it may be well to compare them with those of the current year. The House will be asked to vote £15,252,200 for the Army, £10,926,253 for the Navy, £8,202,953 for the Civil Services, and £5,852,428 for the Revenue Departments; in all £40,233,834. Last year the Budget of the Chancellor of the Exchequer was founded on the following amounts of the original Estimates:—£14,095,000 for the Army, £10,388,153 for the Navy; £7,856,836 for the Civil Services; and £5,842,866 for the Revenue Departments; or a total of £38,182,855. The difference, therefore, between the original Estimates of last year and this year is no less than £2,050,979. Nor is this all. Last year we had, in aid of the Budget, two considerable items of receipt—£500,000, a windfall in the shape of bonds from New Zealand, which have been converted into cash; and nearly as much on account of the China indemnity. Neither of these amounts will come into the approaching Budget; and the result must be, that if the expenditure proposed by the Government should be adopted by Parliamemt, improvements in revenue or in some other respects must be looked forward to, to the extent of above £3,000,000. Now the normal increase of the revenue cannot, at the very best, be taken at above £1,500,000, and the partial falling in of the Dead Weights annuity is sure to be balanced by inevitable Supplementary Estimates of expenditure. The Supplementary Estimates for the current year, proposed by the present Government, amounted to some £800,000. We shall therefore be, beyond a doubt, with reference to the finance of 1867-8, by £1,500,000 in a worse position than in 1866-7, and unless the revenue should be exceptionally buoyant, I fear that the country may be called upon to bear increased taxation. It is, on these grounds, of the greatest importance that the items of the several Estimates for the Army, Navy, and Civil Services should be jealously scrutinized; and that any increases not essentially necessary should be refused.

I now come to the Estimates themselves. They may be, I think, divided into those for the *personnel* of the navy, in the shape of pay, wages, and pensions; and for the *materiel*, in the shape of naval, victualling, and medical stores, ships, engines, and works. The first class is included in Votes 1, 3, 4, 5, 6, 7, 8, and 9, which are for Establishments, and also in the later Votes for Half-Pay and Pension. Now, having looked through these Estimates carefully, I am bound to say that, in dealing with the establishments, I can see no traces of that economical hand which is so much required in all the great spending Departments. There never was a truer remark than that made recently in the debate on the Army Estimates, to the effect that, while in particular branches or divisions of any service increases of expenditure will here and there be necessary, it is the special duty of a good administrator to discover, by constant watchfulness, where simultaneous reductions may be made. The Departments will be always pulling at the Executive Government for more expenditure in every quarter; and if I notice no signs of reductions in some establishments, I am entitled to conclude that the watchfulness of which I have spoken has been dormant. Now, in these Establishment Votes, there is an increase over last year of about £35,000. There is also an increase upon a certain class of retirements to the extent of £3,200. I shall, however, allude more particularly to the details of these increases at a subsequent time. The great changes effected in these Estimates are in Votes 10 and 14. The first of these is commonly called the Store Vote, and contains in its two parts provision for the supplies required by the Controller of the Navy and the Storekeeper General. The increase on the cost of ships, building and to be built by contract, including engines built by contract, is £502,000. There is also an increase of £20,000 in the cost of building dockyard tugs; and in the Miscellaneous Vote there is a special item of £50,000 towards the construction of an armour-plated ship for the colony of Victoria. These items of increase amount to £572,000. On the other hand there are certain items for which less is asked this year, but none of them are establishments, all stores. There is a diminution of £46,000 for timber, of £15,000 for metal articles and iron, of £27,000 for hemp, canvas, paint, tar, &c. There is also a diminution in the Vote for coal, but I think that my noble Friend has made a mistake in saying that it was £100,000. His mistake arose, probably, from an alteration that seems to have been made in the arrangement of Votes 10 and 17. Last year the whole Estimate for coal was stated in Vote 10, but this year the Vote for the fleet and the dockyards is kept entirely distinct from that for transport ships. The real decrease is not £100,000 but £26,000; and when it is considered that for many years past the coal Estimate has always been exceeded, I fear that even this small sum will not really be saved. Taking, however, the items according to the Estimates, there will be a decrease under the four heads I have named of £114,000; and deducting this from the £572,000 increase for shipbuilding, the net increase will be £458,000, or, with £33,000 increases on minor items, in all £491,000. My noble Friend has claimed several small economies, and has alluded to some minor changes adopted by the present Board of Admiralty, and to some of these I should like to refer. He said that they had reduced the number of cadets, observing that for some years past the first-class cadets have been entered in excess for the ranks into which they were to go. If so, I heartily approve of the reduction; but I should be glad to know whether, in speaking of this reduction, my noble Friend has taken into account the second-class cadets. The late Board of Admiralty discontinued the entry of second-class cadets, when they determined to let the Masters' line die out. The number of first-class cadets was therefore settled with reference to the increased number of lieutenants who would in future be required for navigating purposes. If, however, the present Board of Admiralty have reversed the decision of their predecessors, and have recommenced the entry of second-class cadets, I should like to know whether the economy claimed by my noble Friend has any real foundation. I entirely approve of the decision to enter and keep an additional number of boys, and, indeed, I think the number 418 might be carried much further. My impression is that, on an actuary's calculation, far more than the present number of boys are required to fill up vacancies in the number of men, and I am satisfied that you get more efficiency as well as economy by this means, than by entering men from the shore. I also am glad to hear of the increase in the number of trained gunners; but I should like to know how it is that no increase is proposed in the number of artificers of the fleet. No class is more required, and my belief is, that the Board of Admiralty might safely reduce the number of Red Marines (the

Light Infantry Marines), who are now comparatively useless afloat, and, out of the saving thus made, increase the number of artificers. Indeed, I would inquire why the policy of the late Board of Admiralty, gradually to reduce the number of Red Marines, has been abruptly reversed this year. My noble Friend has referred to the heavy charge for the freight of stores, and I am glad to hear that his Board has appointed a Committee to look into the Returns which he himself did not understand. I should be glad if this Committee would also inquire into the whole question of dockyard and victualling yard small craft, which, to my mind, is in a very unsatisfactory state. But while on the question of freight and transport, I would refer to an anomaly connected with the movement of troops from one part of the kingdom to another. When troops are moved by land, the cost falls on the War Office Estimates: when by sea on Naval Estimates. Each Department is thus interested in throwing the expense on the other when a regiment has to be moved between two seaport towns; and I think the time has come for looking into this question simply with a view to economy irrespective of the two Departments. I cordially agree with the policy of the Admiralty in increasing the provision required by the Contagious Diseases Act, which I am confident will conduce to economy in the end. But I am sorry I cannot say as much for the next item to which my noble Friend alluded. He spoke of a slight increase in the number of men placed on the dockyard establishments. I find in the Estimates that provision is made for fifty-two additional artificers at Woolwich, and for forty-three at the other dockyards; in all, ninety-five. The number is small; but the increase involves two principles to which I entertain the strongest objection. One is that, as what are called the established labourers die out, their places are to be taken by additional established artificers. On the contrary, I believe that our establishment of artificers is ample, if not in excess; and all that is necessary is to increase the number of hired labourers, instead of established labourers. My other objection is to the special increase at Woolwich. Upon a Report by a Committee of this House, the late Board of Admiralty had provided for the future abandonment of the dockyard at Woolwich, and no fresh building work was to be taken in hand there; but I fear that this policy has been reversed, and I cannot approve a step which will only result in additional expense when the day for abandoning the dockyard arrives, as it most certainly will. My noble Friend has given the House some very satisfactory statistics in reference to the adoption of piece-work, and I entirely concur in the wisdom of the experiment that has been made. But while on dockyard economy, I should like to ask a question with reference to a statement I saw in the newspapers this morning, that it was contemplated to reduce or abandon the establishment of female spinners at Chatham. If anything of the sort is done, I can only say that it will be the very reverse of economy. After a long controversy, with the dockyard people and in this House, the late Board succeeded in introducing machinery for spinning yarn, both at Chatham and Devonport, superseding the former expensive system of spinning by hand. If the result be that more yarn is now spun than is required, surely the reduction should be first made in the hand-spinning establishment still kept up at Portsmouth, and I think in part at Devonport, not in the women and girls at Chatham.

I have now gone through the smaller matters alluded to by my noble Friend, and running through the Estimates myself, I must say that I see but little noteworthy in the way of reductions, though I notice several petty increases. I do not mean so much increases of salary, to which I rarely take exception, as additional allowances and numbers. There is, indeed, one salary about which I should have asked a question, connected with the establishment of the First Lord of the Admiralty, but I understand it is not to be acted upon. I notice, however, such increases as these:—Three additional clerks in the Secretary's office, Whitehall; an additional clerk at Greenwich, an additional inspector-general at Greenwich; additional house rent allowances at Chatham, Devonport, and Pembroke; and similar increases at several foreign stations. But the worst of these is, I think, the increase of Greenwich. I do not know which member of the Board of Admiralty looks after this establishment, in which I used to take much interest; but I am sure that a little pruning is very much required there. I find that, without taking into account the clerks who are employed at the Admiralty on Greenwich business, or the superannuations, the maintenance of the 380 old men left in the Hospital costs no less than £42,500, or above £110 a man. Surely this is not the time to add an officer of the rank of Inspector General to this underworked establishment. I will now refer to a much more important item in the Estimates, in the nature, however, of a reduced charge, which the House ought to look upon with some jealousy. The expenditure for the extension of the Chatham and Portsmouth Dockyards has been made the subject of a distinct statute, and, according to the Estimate which was the foundation of this Act, the sums to be spent this year were to have been £205,000 upon Chatham, and £312,000 upon Portsmouth. In the present Estimates, however, the sums are given as £149,500 at Chatham, and £228,800 at Portsmouth, making a difference of £138,700 for the year. I do not say that this change of policy may not be justified, and I think I can guess what my noble Friend's answer will be; but when he explained so many comparative trifles, I think it is to be regretted that he did not allude to so important an alteration as this. I must also say a word about the extra receipts; and, in the first place, I deny altogether the doctrine that an increase in extra receipts is any justification for increased expenditure. If ships or iron, or stores, ought to be sold, let them be, whatever expenditure in other respects has to be incurred, and *vice versâ*. But I still want a little more information about the "pigs" of which we have heard so much. We know nothing as to the amount proposed to be sold, or as to the pavement which is to be substituted for that which now consists of iron ballast. Indeed, from the entire omission of any provision for new pavement, I very much doubt whether the experienced officials under the Board of Admiralty know any better than this House what is proposed to be done. At least, if they do, some carelessness has been shown in the preparation of the Estimates. I cordially approve of the proposition, as far as I understand it, to sell a large amount of timber and old ships, though I do not think that my noble Friend gave sufficient credit to the late Board for what it had done in these respects. I know that an opinion prevails that the late Board was remiss in allowing so large an amount of timber to accumulate in the dockyards; but if any hon. Member will refer to the debates in 1860 on the subject of the stock of timber, and especially to the speeches of the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), on the 16th and 19th of April, he will see that it was this House, and not the Admiralty, on whom the fault primarily rests. Indeed, the late Board, while I was a member of it, took upon itself the responsibility of stopping the delivery of timber, so that the present Government is only carrying out, and most rightly, the policy of their predecessors.

I now come to the great question of these, and for many years past, of all Navy Estimates: I mean the amount of shipbuilding proposed for the coming financial year. The policy of the Government may be stated in a line to be this: to spend the whole of the increase in the Estimates, £502,000, on additional shipbuilding and engine-building by contract. Their programme is as follows:—The two great iron-clads, *Hercules* and *Monarch*, now building at Chatham, are to be advanced to $\frac{6}{8}$ths and $\frac{4\frac{3}{4}}{8}$ths. The iron-clad *Penelope* is to be launched at Pembroke, and the armoured wooden ship *Repulse* is to be advanced to $\frac{6}{8}$ths at Woolwich. As to contract work, £83,000 is to be spent on Captain Coles' ship *Captain*, and two new iron-clads on the half-turret principle are to be commenced. Passing now to unarmoured ships, the *Inconstant* is to be advanced to $\frac{3}{8}$ths at Pembroke, and a new *Inconstant* is to be built by contract. Of the *Juno* class, which my noble Friend oddly enough described as "dear to the hearts of sailors," the *Juno* herself is to be launched, and the *Thalia* to be advanced $\frac{2\frac{1}{2}}{8}$ths. The *Amazon* class is to be made up to twelve in number, three being finished, and four laid down, at a total cost of £142,000. The *Plover* class of twin-screw gunvessels is, with the *Myrmidon*, to be made up to thirteen, six of which will be finished in the year, at a total cost of £144,000. Finally, not to speak of two or three smaller vessels, we are to build twenty China gunboats—ten in the dockyards at a cost of £139,000, and ten by contract. I think I have stated the programme fairly. Now, on this, one or two very serious questions arise. In the first place, I think some explanation should be given by the Admiralty why, in the present year, they have made so small an advance in building the *Monarch* and the *Hercules*. According to the programme published last year, the *Hercules* was to have been advanced on the 31st of this month to $\frac{4\frac{3}{4}}{8}$ths, and the *Monarch* to $\frac{4}{8}$ths. According to the programme in the present Estimates, the *Hercules* will have only reached on the same day $\frac{2\frac{1}{2}}{8}$ths, and the *Monarch* $\frac{1\frac{1}{2}}{8}$ths. The difference between the two programmes is no less than 1,800 tons in the *Hercules*, and 1,600 tons in the *Monarch*, and I think that when, as I shall soon show, we are wasting both time and money on non-fighting small ships, the House ought to be informed why so great delay has been allowed by the present Admiralty to occur in the construction of our iron-clad fleet. Again, I regret that it is seriously proposed to commence a second *Inconstant*. These vessels be it remembered, are unarmoured ships of no less than 4,000 tons and ten guns of the largest calibre, with a complement of 600 men. This is, to my mind, like putting far "too many eggs into one basket." I do not object to the Admiralty completing the first *Inconstant*, which they are building at Pembroke Dockyard; but, until she is afloat and tried, I think they ought not to contract for a second vessel of such size, liable to be destroyed by a single shell. Coming now to the smaller craft, the proposals of the Admiralty appear to me very extravagant. It is intended to commence or finish in one year no less than thirty-five gunboats or gunvessels, of 700 tons or less. Now we have had no explanation as to the necessity for anything like so great a number as this being taken in hand in one year; and when the House considers that the construction of these vessels is the real cause of the increase in the Estimates; that it involves the reversal of the decision taken by the late Board, and virtually approved by the House, as to the gradual closing of Woolwich Dockyard; that it will interfere with the more rapid construction at Chatham of our iron-clad fleet; and that it will tend to perpetuate the policy of keeping up unnecessarily large squadrons in distant seas, I trust that they will pause before adopting the plan of the Admiralty. Let me point out the objections to building too many vessels of one class in one year. Not to mention the increase in the Estimates which it involves, it has this great fault; that all, or nearly all, these vessels will come for repair in one year; and I may say, in passing, that there is no part of the scheme of the present Board which I so highly approve as their determination to keep a due proportion between the cost of repairs and of building in our dockyards. The second fault is that, having exhausted in one year the demand for small vessels, we shall be obliged next year to find something new for the dockyards to do; and I confess I dread some new proposals for *Inconstants*, or other unarmed vessels. Our policy, it seems to me, ought to be vigorously to keep up, and even increase, the building of armour-clad or fighting ships in our dockyards, spreading the construction of our smaller craft over a series of years.

I now come to a larger question. I wish to call the attention of the House to a subject which has been but little discussed for many years past; I mean the state and extent of our squadrons in distant seas. We have been so busy discussing the merits of different systems of armour and of gun, the economy of our dockyards, and the constitution of the Board of Admiralty, that we have almost lost sight of the main question, that is to say, what force is it necessary for us to maintain in all parts of the world? and it is this question which I will ask the House to discuss. Indeed, my noble Friend, in introducing the Estimates the other night, almost challenged us to take this course. On that occasion he said—

> "While upon this subject I may, perhaps, though only a subordinate Member of the Government, be allowed to say that it is in my opinion a grave question whether the time has not come for the House of Commons and the country to consider what is the absolute necessity or advisability of keeping up large squadrons in all parts of the world of small unarmoured ships, which, when a more formidable ship than they approaches them, must, what is vulgarly termed, 'cut and run.' At the present day, especially when, very properly, the principle of non-intervention is in the ascendant, no captain of one of these vessels would take upon himself, in the event of any dispute arising between British subjects and the Government of a country in whose waters his ship happened to be lying, to demand or exact immediate reparation. He could, in fact, do nothing until he received instructions how to act from Her Majesty's Government at home."—[3 *Hansard*, clxxxv. 1838.]

I cannot suppose my noble Friend used these very pregnant words without the entire approval of the Board of Admiralty; and the challenge thus thrown out I hope that both sides of the House will take up and debate with the moderation, and, at the same time, the interest, which the importance of the subject demands. As to the proposals which I shall make, while I have the satisfaction of knowing that they have the entire support of my hon. Friends near me, the hon. Member for Halifax (Mr. Stansfeld), the noble Lord the Member for Ripon (Lord John Hay), and the hon. Member for Reading (Mr. Shaw-Lefevre), in concert with whom they have been prepared, yet I feel strongly that persons who are not in office ought not to speak on a question of this sort with anything like the same certainty and positiveness as hon. Gentlemen opposite; who alone have access to many reliable and official sources of information. Any proposals, therefore, that we may make will be I hope received by the House only as suggestions put out tentatively and with modesty; and if, on any point, I may appear to dogmatize, I can assure the House that nothing can be further from my intention. What, let us consider, are the different kinds of fleets which this country has to keep up? They are three. The first comprises what may be called our stationary fleets, intended for defence at home, and, if necessary, for offence in Europe. The second, the fleets employed in the defence of our colonies, and in communications. The third, the fleets maintained for the protection of British commerce on the coasts of some civilized and all barbarous countries. (I omit occasional experimental or surveying squadrons.) In the first class are, of course, our Channel and Mediterranean fleets; in the second, those we keep on the coasts of our North American Provinces, in the East and West Indies, and in Australia; and the third class comprises our fleets in China, in the Pacific, on the West Coast of Africa, and on the East Coast of South America. Now, I will say at once, that in the present state of affairs, I do not believe that this country could give up any of these squadrons. I am not prepared to impugn the policy which carries the British flag to every part of the world, and which protects our commerce, whether in our colonies, or with either civilized or barbarous foreign countries. But my object is to inquire, whether the extent which some of these squadrons have reached is, or is not, excessive; and to see whether, while we really strengthen our fleets, and the influence of England through them, we may not at the same time render them both more popular and less costly. Now, with respect to the first class, I mean our home squadron, so far from diminishing its strength or numbers, I believe our true policy, as I will show, is rather to augment it. But, with respect to the others, I will place before the House the figures at which they have stood in former years, and discuss the reasons for their increase or reduction. Let me premise by pointing out the general influences which are brought to bear on this question. There are two causes leading to the increase of our squadrons. The first is that, after a war in any quarter of the globe, it is very difficult to return to the *status quo ante.* Nothing is so easy as to justify a sudden increase for fighting purposes; but when the fighting is over, a sort of vested interest is created, which it is not a little difficult to overcome. The second, and the greater, cause of increase is the pressure constantly exercised by the Foreign Office and the Colonial Office (who are not responsible for the expenditure) on the Admiralty, in the real or supposed interests of our increasing commerce. On the other side there are four reasons which point to reduction in the number of our sailors, being feasible and egredient. The first is the increased value of men compared with the tonnage and weight of broadside of our ships; the second is the saving effected by steam over sailing for our communications; the third is the increasing employment of the telegraph; and the fourth the inclination which our colonies are exhibiting to establish local means of self-defence, well exemplified as this is in the item of the present Estimates for the iron-clad for the colony of Victoria.

Let us now look to the strength of our fleets at the present date in 1856 and in 1846. I cannot, of course, give the exact figures at the present time; but I believe those I shall state are within a very few of those in possession of Gentlemen opposite. In 1846 our naval force in the East Indies, including China and Australia, consisted of 3,505 men; in 1856 of 3,331; in 1867 of 6,500. At the Cape and on the West Coast of Africa, we had in 1846, 1,428 men; in 1856, 2,232; and in 1867, about 1,700, besides the flag ship on its way. [Sir JOHN PAKINGTON: The total number is 2,085.] Our North American and West Indian fleet comprised in 1846, 2,457 men; in 1856, 4,346; and in 1867, about 5,400. On the South East Coast of America we had in 1846, 1,823 men; in 1856, 1,182; and in 1867, about 1,100. In the Pacific the number was 2,855 in 1846; 2,217 in 1856; and 2,700 in 1867. In 1846, therefore, the total strength of these stations was 12,068; in 1856 it was 13,308; and in 1867 about 17,400; showing an increase of nearly 5,400 during the last twenty years. I will now suggest, though as I have said before, with great diffidence, and with no desire to speak positively, what strength I believe we actually require on these stations. I will take first the China, East India, and Australian stations, where as now we should have an admiral and two commodores. The China station proper includes the whole of the Eastern Coast of Asia as far South as Singapore. North of the Gulf of Pecheli we require nothing but occasional visits by the squadron. For Japan we require two vessels—a corvette at Jeddo, the seat of our Legation, and a smaller vessel at Nagasaki. Let me remind the House that Japan is now visited by mail steamers both from China and San Francisco, and does not require as large a force as it did. Coming to the Gulf of Pecheli, which would be visited periodically by the admiral, two gunboats will be necessary at Tien-tsin and Chefoo. At Shanghai and in the Yangtse river there should be a hulk or stationary ship for the senior officer, two gunboats, and probably two despatch vessels. At Foochow-foo a gunboat, and another at Swatow and Amoy. At Hong Kong we should have a receiving ship, a hospital ship (the *Melville*), an iron-clad for the flag, a corvette, and probably three gunboats for the suppression of piracy. At Singapore we should require a despatch vessel and a gunboat. This would make our fleet in the China seas consist of an iron-clad, two corvettes, four despatch vessels, nine or ten gunboats, three receiving ships, and one or two troop ships; in all twenty-one ships, with 1,900 men, as against thirty-six which we keep there now. The reduction may appear considerable; but let me remind the House of the special causes which have led to so great an increase during the last few years. Not only have we ourselves been at war with China, but we still appear, most unnecessarily, to have some fear of Russia in connection with the Amoor, forgetting that, if we really were involved in hostilities with her, our fleet of little gunboats would be useless against a single iron-clad ship. But the main cause of the increase is the fact that we are keeping the entire police of the China seas. Considering that we are by no means the only traders to China, and that we have not even got the greater part of the river and inland sea trade either of China or Japan, I hope that Her Majesty's Government will, by agreement with the other Powers interested in China trade, relieve us from the Quixotic duty which we appear to have taken upon ourselves, that of sole protectors, in one quarter of the world, of the commerce of every civilized nation.

I come now to the East Indian station, where we keep a frigate, two corvettes, a sloop, and three gunboats. Here we have two good grounds for prospective reduction. The first is that, at Bombay, the local Government are building *Monitors* for the defence of the harbour; and the second, that within the next year the new line of troop ships will be running for the conveyance of our soldiers between England and the East *viâ* Suez. Though not strictly vessels of war, they will carry our flag, and may be, if necessary, heavily armed. I think we may well reduce our force on this station to six vessels and 1,000 men; and, even then, I trust that pressure will be brought upon the Indian Government to bear some part of the cost of this force.

I turn now to the Australian station. When I was there in 1856, our strength was 230 men; we have now there five ships with 1,100 men. To what cause is this increase attributable? Solely, so far as I am aware, to the New Zealand war, which is now entirely over. But two of the reasons which I assigned for the general reduction of these squadrons especially apply to this station: one is, that all the Australian colonies are now, I believe, connected by the telegraph; the other is the energy with which measures for naval defence are being adopted by the leading colony—Victoria; measures which I am glad to see that the present Admiralty, acting upon the views of their predecessors, are furthering; and which I believe will tend greatly not only to the strength of the navy, but to the increased attachment of the colonies to the mother country. The force on the Australian station may therefore very well, in my judgment, be reduced, say to three large corvettes: one to be stationed at Melbourne, one at Sydney, and a third at New Zealand; besides, if necessary, a surveying vessel. Our force on the station would still be about 750 men, or three times as many as we had there in 1856. The total effect of the reductions which I have proposed in the China, East India, and Australian stations, will be a decrease of 2,800 men, the difference between 6,500, our present strength, and 3,700, a number by 400 in excess of our force in 1856.

I come next to the Cape of Good Hope station. There we keep a corvette, a sloop, and a receiving ship, with 450 men; and, considering the requirements of the station, I do not suggest any reduction. But the next station, the West Coast of Africa, involves considerations of considerable difficulty, with which I shall deal very cautiously. My noble Friend said—

> "I, for one, should feel the greatest satisfaction if the moment should arrive when Her Majesty's present Advisers or any other Government should deem it to be consistent with the interests of humanity and of the public service to modify or remove altogether the African coast squadron."—[3 *Hansard*, clxxxv. 1838.]

I think I may interpret this language as meaning that the Government have under their consideration such a modification; and I will therefore limit my remarks to the simple expression of belief that, instead of the sixteen ships which, with the flag ship, now compose our force, we need only keep on the coast one corvette, eight despatch or gunboats, two small steamers, and two receiving ships, or altogether 1,000 men; thus effecting a reduction of 300, or including the flag ship, of 700 men.

I come across the Atlantic to a far more important station; our force on the North American coast, and in the West Indies. In the northern division, which has its head-quarters at Halifax, I propose no reduction; but I would suggest, for the consideration of the Admiralty, whether the number of our ships kept in the West Indies could not be, with advantage to the service, very considerably diminished. It is too large for the police of those seas. It is utterly useless for war. Should we unfortunately be entangled in a war with the United States, there is not a ship in the West Indies which would not be obliged, in the emphatic language of my noble Friend, to "cut and run." Well, we had on this station in 1846, 2,450 men; in 1856, 4,350; and in the present year the number is 5,400. I propose to reduce the squadron, without touching the part of it kept on the North American coast, to 3,000 men, and the distribution which I would suggest is as follows:—an iron-clad flag ship, a smaller iron-clad, three sloops, and three gunboats at Halifax; a sloop and two gunboats at Bermuda; a receiving ship, a sloop, and two gunboats at Jamaica; and two corvettes and two gunboats in the Gulf of Mexico, and at the other islands. In this way we should effect a reduction of 2,400 men.

Coming now to the South East Coast of America, I find that we have at present, under a separate admiral's command, nine ships—that is to say, the flag ship, one sloop, six smaller vessels of different classes, and a receiving ship. The station consists, practically, of two distinct divisions, one of which protects our commerce in the River Plate, and the other is the force which we maintain on the Brazilian coast, as a sort of rear-guard to our African squadron. All we require for the station is a force consisting of two corvettes, two gunboats, a despatch-boat, and a receiving-vessel, with 800 men instead of 1,100; and we should be thus saved the great expense of a flag ship, which I venture to say, except for the purpose of carrying a flag, is, on this station, utterly useless at the present time. I pass now to the Pacific Station, which is in two divisions; the northern under an admiral in an iron-clad, and the southern under a Commodore in a 31-gun frigate at Valparaiso. We have there, besides, three corvettes, four sloops, two gunboats, and a storeship; in all, twelve vessels. This force may, I think, be reduced to a frigate, two despatch vessels, two corvettes (one at Panama and the other at Valparaiso), and three sloops for the service of the coast and across to the islands; or altogether to eight instead of twelve vessels. This would effect a saving of 1,000 men—the difference between 2,700 and 1,700. In passing, let me ask the Admiralty whether they have recently had under their consideration the propriety of abandoning the employment of Her Majesty's ships, both in the Pacific and on the other side of Mexico, in the conveyance of treasure. I believe the use of the navy for this purpose to be the remains of a vicious system which, as it is often the excuse for increased force, I hope will be put an end to.

Let me now recapitulate the changes which we have suggested. In China, the East Indies, and Australia, we reduce 2,800 men, on the West Coast, 700; on the North American and West Indian station, 2,400; on the South East Coast of America, 300; in the Pacific, 1,000; in all, 7,200 men. But we still leave everywhere, I believe, a force sufficient to protect our colonies and our commerce, to restrain piracy, and to be at hand for general service. But that is not the whole of our proposal. Instead of frittering away our force at these distant stations, we propose as a substitute a powerful squadron, which would be, I believe, very popular with the navy; and in suggesting which we are only recurring to the policy of former times. Our naval strength would be, in our opinion, greatly increased by the formation of a new flying squadron, with complements amounting in all to from 2,500 to 3,500 men, consisting of six or seven ships, some armoured and some not, with nearly equal sailing and steaming powers, with two flags (thus employing two more admirals), which, rendezvousing off Lisbon, would be ready at a moment's notice to be ordered by telegraph to any part of the world where an increase of our permanent squadron might be required. It is of great importance that such a force should be sent to sea at any moment without weakening the Channel or the Mediterranean squadron; and I will say no more at present in its favour, hoping that the idea will be thoroughly discussed and weighed, both in the service and at the Admiralty. Taking the strength of this new squadron at something over 3,000 men, and deducting that from the saving which I have suggested of 7,200 men, it will be seen that the total reduction proposed is 4,000 men. Let me repeat that I and my Friends near me throw out these suggestions tentatively and with diffidence, and I hope that they will be well discussed and criticised by gentlemen, whether in the service or connected with commerce, who have much more acquaintance than we have with many of our foreign stations.

I come now to the third and last question upon which I wish to address the Committee to-day. I mean the state of the navy lists. Nothing can be more unsatisfactory than the position of the questions connected with promotion and retirement in the navy. Every year the Board of Admiralty is besieged by officers asking that something may be done to "increase the flow of promotion;" and the usual result is the formation of a new list. Let any one wade through the little blue book issued every quarter, and he will find that the number of these lists is so great as to have taken up all the letters of the alphabet; and I will venture to say that outside the Admiralty nobody, and inside it not half-a-dozen officials, really understand why they were created or what some of them mean. Now, it is high time that this question should be taken up, and that we should not postpone it till, in a financial point of view, bad times come—when any sudden change would be attended by great distress to many deserving officers. Let me say at once that in all questions of this kind I am not for reductions of pay, but of numbers; and to show what we have reached as to numbers, will the Committee bear with me while I read to them some figures which I think will startle them. On the admirals' list we have 13 employed, whose pay is £32,700. But there are 82 admirals on half-pay drawing £48,300; 108 on the reserved list drawing £52,000; and 127 on the retired list drawing £55,400; in all, 317 unemployed admirals whose pay amounts to £155,700. On the post captains' list there are 114 employed whose pay amounts to £85,800. But there are 180 on half-pay drawing £38,100; 80 on the reserved list drawing £18,000; and 386 on the retired list drawing £93,700; or in all, 646 unemployed post captains whose pay is £149,800. There are 128 commanders employed afloat whose pay is £51,700; and 65 employed on shore in the coast guard whose pay is £23,700; giving a total of 193 employed commanders receiving £75,400 a year. But of unemployed commanders there are 214 on half-pay receiving £35,900; 78 on the reserved list receiving £13,900; 492 on a retired list receiving £63,600; and 256 retired as commanders from other lists receiving £41,000; or in all, 1,040 retired commanders whose pay is £154,400. Of generals of marines 1 only is employed at £1,400 a year; but 42 are unemployed at £26,500. To sum up all these ranks, there are employed 321, their pay being £195,300; and unemployed 2,045, costing £486,400. In other words, the case is this—if you name a commander, the chances are 6 to 1 that he has nothing to do; if a captain, 6 to 1; if an admiral, 24 to 1; and if a general of marines, 42 to 1. This is a state of things which I venture to say, when compared with the navy list of any other country in the world, or when judged by the rules of common sense, loudly calls for reform. But there is one, a very salient and marked case, which shows the impolicy of the present arrangements—I mean that of the younger post-captains. According to the navy list of the present quarter, there are 297 post captains on the active list, of whom 167 are of 6 years' standing, or less. Now, of these 167 only 35 are employed; in other words, it is about 4 to 1 that a captain, when posted, will have nothing to do for six years. But what does this mean? The average age at which an officer is posted is about thirty-five. Well, then, between thirty-five and forty-one, when a man is at his best, both as to physical strength and as to powers of command and organization, you turn round and tell him that he shall have nothing to do. This is a blemish, and I may say disgrace, to our system of administration, which absolutely requires the immediate attention of Government and of Parliament. Well, for these evils what remedy do I suggest? All our recent schemes for improving the flow of promotion as it is called seem only to end in giving additional retirement to the upper ranks for the moment, but not in permanently preventing the "block," and the disappointment of the younger men. Take, for instance, the Order in Council of last year—the most liberal scheme of retirement ever proposed. I hear already rumours about the lists being clogged, and some new relief and consequent expense to the country being necessary. What we really want is some means of enabling younger men, who are tired of the service or unsuited for it, to leave it. When a naval officer reaches thirty or thirty-five, he knows pretty well whether he will ever do any good in his profession. If not, or if he is tired of the service, the best thing would be to get rid of him. But our policy has been to give him a miserable half-pay, upon which he cannot live, but which prevents him from obtaining employment elsewhere. Instead of this, I would propose to buy him out with a sum of money down. The capital cost need not appear in the Estimates, as his half-pay might be paid over to the Commissioners for the reduction of the National Debt, who should be authorized by law to make the commutation. I believe that in this way not only should we get rid of a number of nominal officers who clog the lists and interfere with the flow of promotion, but that by degrees we might bring down the numbers of the superior ranks to some reasonable proportion to the amount of employment for them. We might, I hope, reduce our admirals' list to 40; our post-captains' to 180; and our commanders' to 300; and, retaining the present system of age-retirements as applicable to these ranks, we should insure greatly increased efficiency, and prospectively considerable economy.

I have now, Mr. Dodson, discussed, at I hope not too great length, the three questions which appear to me of the greatest importance in these or in any other Navy Estimates. I have pointed out the saving which I think can be effected in the proposed programme for shipbuilding, in the numbers of our foreign squadrons, and in the lists of our officers. Towards the end of last Session, the Member for the Tower Hamlets (Mr. Ayrton) said of me, that I was always ready to defend Admiralty misdeeds, and that I should do better to indicate new fields of research for naval reformers. Perhaps the House will accept that suggestion as my apology for the proposals I have made. I have made them in no unfriendly spirit; for although I do not agree in politics with Gentlemen opposite, I am disposed to give a general support to the present Board of Admiralty. I beg to move, but only as a matter of form, that the Vote be reduced by 2,000 men.

Motion made, and Question proposed,

"That 65,300 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March 1868, including 16,200 Royal Marines."—(*Mr. Childers.*)

Mr. CORRY said, that as he was not concerned in the preparation of these Estimates he hoped that the House would not expect him to enter into all the details to which the hon. Gentleman had referred. It was not possible for him to be familiar with all the views which had influenced his right hon. Friend (Sir John Pakington) in the preparation of the Dockyard Estimates, or that had guided the Cabinet in the distribution of the seamen and marines over the various home and foreign stations. But he desired to follow the hon. Gentleman in some of the criticisms which he had offered to the House; and there were some points on which he would give all the information in his power. The hon. Gentleman had complained of the considerable increase in some of these Estimates, and had intimated his suspicion that they were not prepared with a due regard to economy. He had no doubt but that his right hon. Friend (Sir John Pakington) would be able to vindicate his own conduct in that respect. The hon. Gentleman had next adverted to what he alleged to be an erroneous statement that was made by his noble Friend the Secretary to the Admiralty (Lord Henry Lennox) in moving the Estimates, when he stated that a reduction had been made in the number of the naval cadets. The hon. Gentleman argued that this was incorrect, because the noble Lord had omitted to add the second-class cadets, who ought to have been added, in consequence of the decision of the present Board of Admiralty to keep up the rank of master by the entry of second-class cadets, which had been discontinued by the late Board. However this might be, and he had no doubt that his noble Friend could satisfactorily explain it, he desired to take the opportunity of saying that he heartily concurred in that decision, for he believed that nothing could happen more disastrous to the navy than the abolition of the rank of master. The maintenance of that rank was absolutely necessary in his opinion, as well as in that of the vast majority of naval officers, to the safety of the ships belonging to the navy, and the late Board of Admiralty never made a greater mistake than when they decided to abolish it. There was hardly a naval man in the House who would not agree with him in that. The hon. Gentleman had complained that the number of artificers in the fleet was too small. He believed it was; but he could not concur with the hon. Gentleman that it would be wise to increase their number at the expense of the Royal Marines. He had felt it to be his duty two or three years ago to call the attention of the House to the reduction which it was then proposed to make in the number of the coast guard and of the Royal Marines, for he considered that it was most dangerous to diminish the strength of those two most valuable naval reserves. He was still of the same opinion. The hon. Gentleman had next criticised the discharge of a certain number of female spinners in Chatham Dockyard, a point of detail that his hon. and gallant Friend (Sir John Hay), the Superintending Lord of the Department, would be able to explain satisfactorily. The next cause of complaint advanced by the hon. Gentleman referred to the diminution in the Estimates this year, as compared with the amount which ought to have been proposed under the Treasury Letter of 1865. The Estimate for Chatham would have been, according to the letter, £205,000 instead of £150,000, as proposed to be voted, and £312,000 for Portsmouth, instead of £228,000 for the extension of Chatham and Portsmouth Dockyards. The Estimate for Chatham was £205,000 this year, against £228,000 in the previous one; and that for Portsmouth was £228,000, against £312,000 last year. This diminution, however, was not in any way to be attributed to any disinclination on the part of the present Board of Admiralty to push forward the works in question. The fact was that, in consequence of the commercial crisis of last year, the late Board of Admiralty had not been able to complete all the contracts—some were even now incomplete, and therefore it was impossible to spend with advantage during the ensuing year a larger sum of money than that now proposed. The hon. Gentleman must know that he (Mr. Corry) would be the last person to keep back these dockyard works, because it was in a great measure at his instigation that they were undertaken. He knew that they were not very popular in the House; but if hon. Gentlemen were only acquainted with the absolute necessity of making the dockyards suitable to the altered dimensions of ships of war, and conditions of shipbuilding, they would agree with him that no money could be better laid out. The hon. Gentleman had next proceeded to advert to the shipbuilding charges in the Estimates, and had condemned the policy of building another ship of the class of the *Inconstant* before that vessel herself had been tried. No doubt, in ordinary cases, it was advisable to proceed in these matters with caution. But it must be remembered that other nations were building ships of this class in far greater numbers than ourselves. He agreed with the hon. Gentleman that the American ships had not been so successful as was anticipated; but he thought, and had always thought, that it was essential for England to have a few ships of extraordinary speed — of course, not armour-plated—for certain obvious purposes in the operations of war. He rejoiced, therefore, that it was proposed to build another ship of the class of the *Inconstant.* Two ships of this character were the very least we ought to have, and he hoped the new vessel would be constructed as soon as possible. The hon. Gentleman had next adverted to the delay that had taken place in the building of the *Hercules* and the *Monarch.* The present Board was not to blame for that. The cause of delay in the case of the *Hercules* was, he believed, that some of her plates had proved defective, and that a considerable time was lost before other plates could be supplied by the contractors; and the progress of the *Monarch* had been impeded by an accident to the caisson of the dock in which she was being constructed, which had necessitated the suspension of the work until the damage could be repaired. But the portion of the Estimates which the hon. Gentleman had most severely criticised was that which had referred to the intention to build a large number of small vessels. Now, if there was one proposal in these Estimates more than another that had his (Mr. Corry's) entire approval it was this one. For the last six years the deficiency of small vessels in our navy had been a constant source of anxiety to him, for they were absolutely necessary for carrying on the service at our foreign stations, and also for the protection of our commerce in case of war. The hon. Gentleman had asked why was it necessary to build so many in one year? The answer was because hardly one had been built by the late Government during the last three or four years, and the consequence was a great deficiency of vessels of this class because hardly one had been built in previous years. He did not make this a matter of reproach against the late Board of Admiralty, for they had had plenty of important work on their hands in constructing the armour-clad fleet. But it was the fact that the construction of these small ships had been almost wholly neglected for the last three or four years, and during all that time their number was being continually diminished by ships belonging to this class, being broken up or otherwise removed. From a Return which he held in his hand, it appeared that since 1860, 151 steam ships of various classes under the rank of frigates—namely, corvettes, sloops and gunboats, had been removed from the list; and all of these were vessels efficient for war though, perhaps, in want of repair. Besides that, seventy-three sailing ships had been removed, so that the total diminution in the six years of old men-of-war of the smaller classes was no less than 224. The consequence, he need hardly say, was that there was an alarming deficiency of those small vessels in the navy, and he entirely concurred in the proposal in the Estimates for the re-construction of vessels of this description, though he admitted that the number intended to be built was large. The hon. Gentleman had next referred to the state of our foreign squadrons, and had proposed a large reduction under this head. The hon. Gentleman had admitted, however, that he was well aware of the pressure always put upon the Admiralty by the Foreign Office and the Colonial Office; and he (Mr. Corry) was able to say, from his own experience, that this pressure was absolutely irresistible. As an example, he might mention that in 1843 or 1844, when they were on the brink of a war with France, the whole of the naval force in commission in the Channel for the protection of the English, Irish, and Scotch coasts, consisted of one second-class paddle-wheel steam frigate. And this was no fault of the Board of Admiralty, which had for three years been endeavouring to organize a Channel squadron, but the moment a ship was reported ready for sea at Plymouth, or Portsmouth, or the Nore, or elsewhere, an application was immediately made for her, either by the Foreign or Colonial Office, on the ground of some specially urgent necessity that had arisen on some foreign station. The ship was accordingly sent off, and all the efforts of the Admiralty to form a Channel squadron were not successful until four years had passed away. He agreed with the hon. Gentleman that it was desirable that the Estimates for our foreign squadrons should be kept down as much as possible. But the hon. Gentleman had overstated, he feared, the extent to which the reduction could be safely carried. He had proposed to reduce the squadron on the China station, but they had an enormous trade to protect out there, and those seas swarmed with pirates. Their depredations had, indeed, been pretty well suppressed of late by our vessels; and four or five captured piratical junks were no longer seen at Hong Kong every month as used to be the case. Still, with such a trade the pirates had to be watched. Their imports in China were upwards of £20,000,000 every year; they had fourteen treaty ports in China, and five in Japan; and for the protection of these extensive interests they had a force of thirty-eight ships-of-war, thirty-five of which were almost of the smallest class; and the number of men composing their complement was 4,447. He should be very glad to reduce the cost as far as possible; and he would do all he could to effect that object. When his hon. Friend talked of the advisability of reducing the strength of their distant squadrons, he must remind him that he had not proposed anything of the kind when he was in office. On the contrary, the force on foreign stations was larger when the late Government was in office than it was now. Exclusive of the Mediterranean, there were in 1860, 20,000 men on the foreign stations; in 1861, 22,000; in 1862, 27,000; in 1863, 23,000; in 1864, 24,000; in 1865, 21,000; and in 1866 and this year, 19,000. So that the force last year and this was less than in any year since 1860, and there was a reduction of 8,000 men since 1862. He was not prepared to say that some reduction might not be possible on some of the stations; and he would give his attention to the subject, with the anxious wish to bring the force to the smallest possible amount. He did not, however, think it would be wise, under existing circumstances, to reduce the naval force much lower than it was. As to the suggestion of his hon. Friend, that there should be a larger squadron at home instead of a large force abroad, if the Government adopted that view, they would be at once entering into rivalry with naval forces of other Powers, who would also have their large fleets at home, and the old race of competition would be revived, which would not in the end lead to economical results. The foreign squadrons, also, were of the greatest possible use in keeping up the skill of officers and men; and in that respect it would not be wise to reduce them to too low a mark. Home squadrons never saw the same amount of real service at sea, and consequently neither officers nor men had the same opportunities of acquiring a knowledge of seamanship as when serving on distant stations. With regard to the state of the lists nothing could be more unsatisfactory. In consequence of the scheme of Retirement of 1846, of which he (Mr. Corry) was the originator, and of that which was subsequently introduced by Sir Francis Baring, the captain on arriving at the top of the list from which he was promoted to the rank of rear-admiral, was twenty years younger than under the old system. In 1846, the senior captains were of thirty-eight years' standing which had been reduced to eighteen by the retirements to which he had referred; but although these and other retirements had relieved the list to a certain extent, they had encumbered the retired lists to an almost intolerable degree, until there were almost enough admirals and captains to man one of those fleets on the coast of China. This was an unsatisfactory state of things, and it should have his anxious attention. In considering the state of the lists he could have no better adviser than his hon. and gallant Friend near him (Sir John Hay), and it would give him great pleasure if some plan could be devised to meet the evils to which his hon. Friend had called attention. His hon. Friend had suggested a plan which he (Mr. Corry) believed was the plan proposed by himself in his evidence before the Retirement Committee in 1863. It was that instead of only retiring officers when they had attained to high rank, they should also give encouragement to subordinate officers to retire, which would be attended with greater economy, while it would contribute to the comfort of the officers themselves, enabling some, perhaps, to settle in Australia, others to marry, or establish themselves in other lines of life. It might be more satisfactory to officers than putting them compulsorily on the retired list, which caused many of them to spend the remainder of their lives in grumbling. He would give his attention to this as to the other subjects which had been mentioned. Not having been concerned in preparing these Estimates, and, as his right hon. Friend wished to offer some remarks to the House, he would not intrude himself longer on the Committee, but he would be willing to give any further information that might be required during the progress of the discussion.

MR. SAMUDA said, that in round numbers £500,000 was asked for in these Estimates in excess of the amount asked for in the previous year. The state of the iron-clad navy at the close of last Session was by no means satisfactory. In July last he had called the attention of the House to its inefficiency, compared with the navies of foreign States—his views were generally concurred in, and he had the satisfaction of observing that the statement which he then made, pointing out the necessity of a very considerable increase in the iron-clad fleet, received the sanction of his right hon. Friend who, till lately, filled the high position of First Lord of the Admiralty (Sir John Pakington), and who was responsible for the present Estimates. He had expected, therefore, to see in the present Estimates some suitable provision for an addition to that portion of our fleet; or, at all events, that any sum asked for the increase of the fleet would be principally devoted to this important object. He found, however, that of all the sums asked for in the shipbuilding Vote, only the small sum of £570,000 would be available for increasing the iron-clad portion of the fleet beyond the previous provision made in last year's Vote. He wished the Committee to fix its attention on this important fact. No less than £2,751,000 was the amount which the country became engaged to spend in shipbuilding under their Estimates, and it consisted of the following items:—In the contract works £275,000 was to be spent for a turret ship on Coles' system; in screw ships and gunboats, £745,000; for engines, £634,000; making a total of £1,651,000; in addition to which the dockyards were to undertake works of great magnitude, to the extent of 23,544 tons of shipping, of which only 6,300 represented iron-clads, and this would give a further sum of £1,080,000, or a total of £2,730,000, which the country would be bound to pay now or hereafter. Of this sum the amount to be spent in the present financial year was £1,850,000, out of which only £744,000 were due to iron-clads; but again this sum has to be reduced by £174,000, because the programme of Estimates of 1866-7 of the late Admiralty provided to advance the two iron-clads *Hercules* and *Monarch* 5,652 tons, while they have been advanced only 2,750 tons; and therefore after accepting the obligation of their predecessors, and the money voted by Parliament to carry it out, they had reversed that policy and diverted the money to other uses, and £174,000 of the present year's money must therefore be spent before the iron-clads are advanced to a stage that we had a right to expect to find them at the present time; and the result is, therefore, that of all this enormous shipbuilding Estimate only £570,000 is applicable to the advance of the iron-clad fleet. Even last year many hon. Members agreed with him that the iron-clad fleet was not making enough progress, but this had thrown us still further back. The objection now was not only that the quantity of work had been diminished very considerably, but that the Vote had been diverted from the purpose to which Parliament intended it to be applied—namely, iron-clads—to a totally different class of vessels, a course only to be justified by a state of war, or by an emergency so sudden and so severe that no opportunity could be afforded to submit so serious a change to the House. Then there were thirty or forty vessels falling within the category of gunboats, and ranging between 600 and 900 tons, on which the Admiralty were about to spend £600,000. He might be told that the vessels to be replaced were rotten. If so, why restore them with vessels likely also to become so? These were wooden vessels. [Sir JOHN PAKINGTON: Composite, with iron plates.] He doubted whether a composite ship was longer lived than a wooden one; because the injury resulting from contact between the wood and iron counterbalanced any benefit that might in other respects arise. The restoration should have been in iron and not wooden ships, and it would have been better to have substituted vessels of 1,200 tons, carrying one or two cupolas, and covered with armour, by which means they would have had real fighting ships most useful in supplementing the navy as well as in acting independently on foreign stations. But the proposed vessels were precisely the description which were referred to by the noble Lord (Lord Henry Lennox) as vessels to be avoided, because they could neither fight nor run away, and a great responsibility rested on those who had recommended the expenditure of so much money on vessels of such an ephemeral description. Again, with regard to the quantity of vessels proposed to be built, after what the requirements had been stated to be by the noble Lord the Secretary to the Admiralty (Lord Henry Lennox), he thought the building of the thirty-five gunboats might have been postponed. The noble Lord referred to "two" vessels being wanted for Africa, and "some" for the Pacific, and in no way referred to the requirements for this class of ships as being of such magnitude as to necessitate thirty-five new vessels of this generally admitted objectionable class. He had not the same objection to make to the eight sloops of 1,250 tons, as they were vessels of moderate size and good speed, and therefore suitable to the protection of commerce; but he should not have expected that his right hon. Friend (Sir John Pakington) would have magnified the Lilliputian navy at the expense of the iron-clads; and looking to the objectionable character of the gunboats, to which he had already referred, it did appear to him a responsibility of the gravest character to engage the country in an expenditure of nearly £750,000 in such craft, and he hoped his right hon. Friend the present First Lord of the Admiralty will be able to tell the House when it reaches Vote 10 that he has re-considered this Vote with a view to its modification. While on the subject of wood vessels, he would refer to the noble Lord's statement of the Admiralty's intention to break up the old wooden first rates, which were treated by them as obsolete, and in accordance with which decision ten had been already sold to the breakers for £85,000. If they were pronounced rotten he should not complain of their being broken up; but reference was made to a proposal the

Admiralty had received to convert them into armour-cased turret-ships, which was at great length shown to be impracticable. Now he was not about to propose to convert these vessels into armour-clad turret-ships at once, but he was about to protest against breaking them (or at least many of them) up, and dispossessing the country of them—he had himself turned his attention to the advisability of converting those ships—he had subsequently abandoned that idea, from reasons wholly apart from any difficulty in the operation, but because it was doubtless better to add to the navy from time to time with iron hulls, which are much more enduring and better in every way; but the possession of the old first rates as a lay by and a reserve is invaluable in the event of war becoming imminent, because notwithstanding the condemnation and the declared impossibility of making any conversion of these ships, he had gone carefully into the matter in conjunction with Mr. Oliver Lang, and they both were of opinion that in twelve cases at least, a very satisfactory result would be obtained, and twelve most formidable vessels could thus be obtained in one-third the time it would take to build them, and for a cost of only £100,000 each, and though not possessing the durability of iron hulls, few persons will doubt the advisability of having such a means of supplementing the navy on an emergency, and the impolicy of dispossessing yourself of it as it exists. The names of the vessels he thought would pay for conversion were (three-deckers) the *Howe*, the *Victoria*, the *Marlborough*; (two-deckers) the *Bulwark* and the *Robust*, which were building, the *Anson*, the *Duncan*, the *Atlas*, the *Defence*, the *Renown*, the *Gibraltar*, and the *Revenge*. To revert to the Estimates, it was also proposed to build two armour-clads of 3,700 tons each, which would be entirely armour-clad, and which would have semi-turrets on their upper decks. He regretted, however, to find that the Admiralty proceeded upon no regular system, all was shifting, there is no stability, no general character that guides and underlies all their productions, and forms a sound base for all their operations. Of the large vessels of our iron-clad fleet they had almost as many classes as ships. Twenty-four ships had been built and were building, and these were divided into six classes. Of the *Warrior* class there were four; of the *Achilles* and *Bellerophon* class, nine; of the *Agincourt* class, two; of the wooden-plated frigate class, five; of the cupola ships, three wholly covered and one partially covered. They had in these two ships a seventh class, and now the House was called upon to sanction an eighth class—the *Inconstant*—in which the ships were altogether denuded of armour. He could not approve of this last class. Supposing that a vessel of the *Inconstant* class came in contact with one of the *Agincourt* class; the former of these was expected to make fifteen knots, and was supposed to trust to her great fleetness and her powerful guns; but the *Agincourt* had made fifteen-and-a-half knots, and was wholly plated, and carried guns at least as many and as powerful, with this important difference, that the *Agincourt* can attack them with shell, and their destruction will be both swift and certain; the *Inconstant* can only reply with shot, for shell will not penetrate her adversary's sides, and the unarmoured vessel can never live the time necessary to inflict even serious damage with solid shot. How, therefore, could the *Inconstant* hope to gain an advantage over such a vessel? He protested against placing English lives and English honour in such peril. He entreated the Admiralty not to be led away by the circumstance that some other nations were building similar classes of ships. It was necessary that we should rely upon our own judgment. He thought the Departments ought to found their general policy on the experience of those whose duty it was to take a large range of view in reference to this matter. Last year he had suggested that a committee of scientific and practical men should be brought together for the purpose of devising some general policy; but if his right hon. Friend the First Lord of the Admiralty did not approve that plan, he ought to use his own judgment, and to form a sound and broad policy on which the future re-construction of the navy might be founded.

Admiral WALCOTT said, that at the present time, when science was making advances hitherto unexampled, and when all the great maritime Powers were strengthening their navies, too great care could not be given to the subject of the construction of our vessels of war; economy and retrenchment in careful forethought should be observed before they were commenced, but only as compatible with the integrity of the national defences. Indeed, it must be obvious to all men of common sense and common observation that, looking to the insular position of this country, to our mercantile strength and vast commerce, and to the distance between us and our numerous colonies and dependencies, this was a point of most vital importance. He was glad to say that the nation had always most willingly borne the expense necessary to maintain the navy in an efficient condition; all it at any time had demanded had been a rigid supervision of expenditure, and that under the vigilant eyes of this House the means placed in the hands of the Government should be employed in a manner deserving the cordial support which Parliament affords, and the enthusiastic unanimity of the country, which is its sanction. As regards ships of the *Warrior* class, his opinion was that their length was so great that they were not handy in rough weather and cross seas. Then, again, in consequence of their great length, a considerable number of men was required to man them. There was already a sufficient number of vessels of this class, and we required ships of not more than 4,000 tons, which would be far more handy, capable of carrying beyond failure their armament, easily to be turned either tacking or wearing—which these lengthened ships very imperfectly perform, and require much sea-room. And let him impress upon the Board of Admiralty, as a point of the first importance, that mode of construction to ensure an identity of speed both when under sail or steam. Some of our timber ships of war had been sold, in number thirteen; no less than 246 still remained. They jostle each other in a state of ordinary in Portsmouth, in Hamoaze, in the Medway. Sell these incumbrances; they only are formidable on paper, decaying piecemeal at their moorings, each year becoming of less value, each year increasing in necessity for repairs, whilst they give a delusive appearance to the strength of our navy. There had been since the year 1827 no fewer than seventeen First Lords, seventy changes among the Junior Lords, and fifteen Secretaries, having held office under the uncertain tenure, the condition of membership of a Board of Admiralty. Every such change the late Controller of the Navy (Sir Baldwin Walker), when examined before the Royal Commission to inquire into the state of the Navy, conclusively proved had necessitated a different arrangement, and constant alterations in the Royal Dockyards. Economy in such a fluctuation of opinions he pronounced to be a simple impossibility; and yet to such constantly changing Boards were committed the sacred trust of our navy, the very right arm of our National strength, with all its manifold departments—the manning of the fleet; supervision of dockyards; building, equipment, and repair of vessels; determination of the best modes and material of construction and naval architecture; supply of stores; control of expenditure; and, in a word, the maintenance of our navy in a state equal to any emergency, indispensable to the security of our commerce, the safety of our shores, and the continuance of our honour and freedom as a nation. This plain statement of the mischievous results which are the consequences of the irresponsible constitution of the Board of Admiralty, and the frequent changes at the Board, has a force of argument which no expression of his could deepen; and without party spirit or injurious reflection upon any individual, he could assure the House he merely had spoken for the welfare of a service whose well-being was bound up in that of the Empire itself. He believed that the remarks of the hon. Member for Pontefract (Mr. Childers), though they had occasioned a smile, would be read by the country with regret that the feelings of honourable men had been—though unintentionally, of course—deeply wounded. How did it happen that there were so many retired admirals, captains, commanders and lieutenants living upon the taxation of the country? The reason was this. From 1791 to 1818 no less than 997 men-of-war were commissioned—a number which of course gave employment to a great many officers. When the services of these officers were no longer required they were placed on half-pay, where they remainded from 1818 until the Crimean War, when some of them were called for. They were thus prevented, the most of them, from rising in their profession, from seeking employment in other directions, achieving higher professional honours, while the solitary pittance which they received was not the sort of income which any hon. Member would wish his son to be compelled to live upon. Those men ought not to be treated in an indifferent manner, or to be spoken of as they had been, especially when it was considered and remembered that most of them were as old as himself. They could not live long, and if the country could not employ them they should not be spoken of disrespectfully. If they were referred to at all, it should not be in a disparaging and ungenerous tone, as unwelcome as it was undeserved.

Sir MORTON PETO said, there was no part of the noble Lord (Lord Henry Lennox's) statement on a previous night which did him so much credit and gave so much satisfaction as the statement with reference to the decrease of the amount for repairs. He trusted that the Board of Admiralty would feel that it was their policy to pursue that course, and at all times to give it their most earnest attention. Enormous amounts had been consumed in repairs, and unless great care was taken in the construction of our vessels, the result which the noble Lord had indicated, and which the House had much reason to hope for, would not be attained. The recent failure of France in her construction of wooden ships armour-plated—they having come home after severe weather in a most unsatisfactory condition—ought to be a lesson to this country. He believed that the real fact with regard to those vessels was that they were constructed of wooden frames, covered on the outside with iron armour. Four vessels, indeed, constructed by the French Government, and one of which was the *Gloire*, were, he believed, looked upon as inefficient, and that fact ought to set us a warning in the construction of our vessels. Such vessels needed constant repair. It was very undesirable that the stores and controller's departments should be distinct one from the other; because until the controller was entirely responsible for the stores, they would never obtain that responsible management which was necessary both for the efficiency and economy of the service ; and he hoped the present First Lord of the Admiralty would give it his serious attention with a view to the amalgamation of the two departments under one responsible head. He was surprised to hear the hon. Gentleman the Member for Pontefract (Mr. Childers) state that the accumulation of timber in the dockyards was owing to the pressure put upon the Department by that House. In 1862 and 1863, reductions of the Vote for Timber were moved in Committee. He had himself moved in 1863 to reduce the Vote on Account of the purchase of timber by £250,000; but although Lord Palmerston stated that no more wooden ships were to be built, there were at that time 112,000 loads of timber, sufficient to supply the navy for five years, taking the average consumption as a data. It was a well-known fact that the Duke of Somerset purchased the whole of the timber that was now proposed to be re-sold with money that was distinctly voted for iron vessels, the conduct being justified on the ground that the money was voted under the head of stores. The timber so bought without authority from the House was now being re-sold at an immense loss to the country, and this was the result of the manner in which the Duke of Somerset had employed money which was voted for the construction of iron-clad vessels. Such a mistake would, he hoped, be a warning for future Administrations, and no Board of Admiralty sitting on either side of the House would ever, he hoped, again take such a liberty—a liberty which, in this instance, had resulted in very great loss to the public. He had taken pains to inquire into the quantity of iron ballast in the dockyards, and from an advertisement of the sale found that there were about 35,000 tons, chiefly of Swedish iron, fit for malleable purposes, and worth, on the average, £4 a ton, and a further quantity of 35,000 tons used as ballast on board ships in ordinary. As to our colonial dependencies and foreign squadrons, he thought that a great reform was required, and he hoped that the Admiralty would consider whether there could not be a combination with other Powers, so that a joint policy might operate where protection of trade was required. This might, he thought, be done to put down piracy in China, where the French had a number of admirable steamers, and where also they had a large trade to protect. As to the African squadron, he questioned whether it would not be better to have several fast steamers upon the coast than having vessels, as at present, to ascend the rivers. He hoped, also, to see a combination of the offices of the Admiralty, instead of having one set of offices at Whitehall, and another set at Somerset House. He ventured to think that much of the correspondence pressing upon the Department to which the noble Lord (Lord Henry Lennox) had alluded would be rendered unnecessary if Whitehall and Somerset House were brought under the same roof. On the minds of the members of the Committee which recently investigated that subject there had been a conviction no less strong in favour of the concentration of some of the dockyards. He trusted the recent change at the Admiralty would not deprive the House of the prospect held out by the right hon. Gentleman (Sir John Pakington) of the reconstitution of that Department with a single Minister in a position of power and responsibility.

Sir JOHN PAKINGTON: Sir, the noble Lord the Secretary to the Admiralty (Lord Henry Lennox) gave a clear and full explanation of these Estimates on a former evening. His statement has been followed up to-night by my right hon. Friend the present First Lord of the Admiralty (Mr. Corry), so that very little is left for me to say. Inasmuch, however, as I was connected with the formation of the Estimates, I trust the House will allow me to offer a few remarks. In the first place, I would acknowledge the extremely fair and temperate manner in which, by every speaker on the opposite side of the House, these Estimates have been referred to, especially by my hon. Friend the Member for Pontefract (Mr. Childers). My hon. Friend, indeed, rather complained of the extent of the Estimates; but he hardly showed his usual fairness in mixing these up with all the other Estimates called for by the requirements of the country with which these have little to do. No doubt the Estimates are, on the whole, in excess of those of last year; but, while my hon. Friend naturally commented upon that fact, the Member for Tavistock complained that the Estimates were not large enough. [Mr. Samuda: The portion applied to iron-clad vessels.] I am afraid that if we had increased the building of iron-clad vessels to any extent it would have been impossible, owing to their great cost, to avoid a considerable increase of the Estimates. My hon. Friend the Member for Pontefract referred to the extra receipts of £450,000 in a tone of general approbation; but found fault with us for not making in the Estimate some charge for tramways, or whatever might be laid down in place of the iron taken from the dockyards. The only answer I can give to that complaint is that the arrangements for the sale of the ballast iron in the dockyard up to this time have hardly reached a point at which we are in a position to enter into an arrangement for repaving the dockyards with other material. At this very moment we are carrying on negotiations as to the best mode of bringing the iron to market; and the real point upon which I hope to receive the approbation of the House is, whether we are not taking a wise course in bringing this iron to market instead of leaving it where it is. I throw no blame on the late Board of Admiralty for being misled, as I think they were, with regard to the value of this property. They made inquiries; in fact, they proceeded to sell some of this iron, and could get but a very small price for it; but that was in consequence of the mode in which they set to work. When we first commenced inquiries we were told by persons who ought to be very competent judges, by persons in the Arsenal at Woolwich, that they did not consider the iron to be valuable; but we followed up our inquiries by further investigation, and I think a very moderate estimate is made when I say that, after allowing for any expenses that may be involved in repaving the yards, we expect to receive into the Treasury a sum of no less than £100,000 for this iron. The hon. Member also approved our scheme of selling certain ships; but the hon. Member for Tavistock cautioned us with regard to the sale of ships, and conveyed the impression that these wooden ships could still be converted into valuable iron-clad men-of-war. [Mr. Samuda: On an emergency.] Even supposing he is right in his belief, let me remind him that there is no reason why we might not sell a considerable number of these vessels. There are now in our harbours between 90 and 100 line-of-battle ships and frigates; that is to say—58 line-of-battle ships, and between 30 and 40 frigates. A revolution has taken place within the last few years, and those ships are maintained at a cost of £1,000 a year each. They are deteriorating every year, and for the purposes of war they are practically obsolete. Clearly there is no necessity for retaining so many of them. Some of them, no doubt, will become useful for hospitals and other purposes; but we cannot think of retaining 90 or 100 of those wooden line-of-battle ships and frigates at a cost of £1,000 a year each. It was my intention if I had remained at the Admiralty to send more of them into the market, and I had hoped to realize not less than £200,000 in that way this year. But some of them I intended retaining, believing they might be turned to some useful purpose. In consequence of the strong statements published by Mr. Henwood, the Admiralty thought it right to refer the question to the professional advisers of the Board, who, as the House is aware, are very able men; and their opinion was that, looking to the construction of those ships, it would be a waste of money to convert them into armour-covered men-of-war. Then, as regarded the timber in the dockyards, my hon. Friend asks who is to blame for the large quantity in stock. It is rather late to enter into that question now; but, if I remember rightly, Lord Palmerston was the great advocate of keeping up a large stock of timber in our dockyards. Even in the days of wooden ships it was not thought necessary to keep more than 60,000 loads; but we found more than 100,000 loads in store. I think it will be the best economy to sell this before it is further deteriorated; and I believe that the total receipts to the Treasury on account of the sale of timber will exceed the estimated £400,000. [Mr. STANSFELD: What price will be obtained?] It will vary; but, as well as I remember, the difference between the buying price and the selling price is about one-third. My hon. Friend the Member for Tavistock complained very much that we had not built more iron ships; but if he looks at our Estimates he will see that we do propose to make a considerable addition to our fleet of iron-clad ships. We have just commenced the *Captain,* which will be for a trial of Captain Coles' arrangement of turrets. She will be a sloop of 4,000 tons, built entirely under the direction of Captain Coles. We determined that a large wooden man-of-war, commenced some years ago, and on which £50,000 had already been laid out, should be converted into an armour ship. We shall have two ships of 3,700 tons, whether they are to be ranked as first-class or second-class I do not know, nor do I think it matters much; but they will be very powerful. They are to have the half turrets on each side—a very valuable invention—and by means of this arrangement will be more effective than the ordinary broadside vessels built on the turret principle. I was very sorry to hear the criticism of my hon. Friend the Member for Pontefract on the second *Inconstant.* The building of the first ship was part of the policy of the late Board of Admiralty. When we came into office we found that she was in progress, and we had to address ourselves to the question whether she was not a class of ship which the country required. Looking at what was going on in other countries, we found that the United States were building twelve of this class. [Mr. SHAW-LEFEVRE: They are building six of the larger class and six of the smaller.] I believe very much in the vigour of the United States, and when I had the pleasure of seeing the Secretary of the United States Navy in this country some time ago, he made no secret of it that his department looked upon these ships as the most effective men-of-war, and capable of acting against the commerce of other countries. The Government of France also has adopted the policy of having ships of great speed, capable of going to sea as cruisers, and also capable of carrying, as far as their guns go, very heavy armour. As to the *Agincourt,* she is a very valuable ship; but she is a ship of 7,000 tons only, being 3,000 tons smaller than our *Inconstant.* Does my hon. Friend really think that such a ship would be as efficient as the *Inconstant* in protecting the commerce of this country? I wish to say a word respecting the complaint as to the number of small vessels which we propose to build. I cannot refer to this subject without making some allusion to an answer which I made in this House soon after I came into office last year, and which I am afraid was taken for what I did not mean it to be—an attack on the late Board of Admiralty. I was asked by my hon. Friend the Member for Liverpool (Mr. Horsfall) what was the state of our reserves. In reply, I could only say that our reserves were not in a satisfactory state. I had great difficulty in sending reliefs to foreign stations; and this arose from the want of small vessels. For many years there has been, and there still is, a regulation, that in our ports we should retain a certain number of ships as a reserve for emergencies. It appears, however, that the regulation had not been regarded, because when one vessel, the *Bombay,* was burnt, there was no ship to take her place, and when the *Amazon* was sunk, there was not one to take up her duty. The hon. Member for Reading (Mr. Shaw-Lefevre) called attention to the Minute of Sir Frederick Grey, which we found at the Admiralty. I regret that the hon. Member's unwillingness to take that Minute in the way it was offered, has prevented it from being laid on the table. I was not aware of the contents of that Minute when I made my statement; but when I saw it subsequently, I found that it confirmed the answer I had given to the hon. Member for Liverpool. It referred only to the small vessels; but as regarded those vessels it said that there was not one to send out. We are now building those small vessels. I think the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) alluded to this point, and I wish to call his attention to these facts. The Board of Admiralty has now only two sloops, two frigates, and three gunboats fit to send out as reliefs to foreign stations. In the years 1864 and 1865, twenty-five paddle steamers, twenty-two screw steamers, and five paddle steamers of a large size, making in all fifty-two vessels, were got rid of from the navy. Fifty-one gunboats were likewise got rid of within those two years, making together upwards of 100 vessels put out of the service as useless. I make no complaint of that; but I say the fact that upwards of 100 vessels having been got rid of within the period I have named, fully accounts for a deficiency. The policy of the present Board has been not to spend large sums of money in the repair of obsolete vessels. [*Cheers.*] I am glad to hear that cheer, and accept it as the Committee's approval of the Government policy, which has already been commended by the hon. Member for Pontefract. I think I should surprise the House if I were to recount the sums spent in repairing vessels which, after all, were not fit for the service. Compared with the prime cost of these vessels the sum spent in repairing them has been immense. We have, therefore, determined to abandon repairs of this nature, and devote the labour thus saved to the construction of new vessels of a better type. This is the answer to the regret of the hon. Member for Pontefract that we were proposing to build so many small vessels; it is necessary that we should build a good many in order to supply the place of others returning from foreign stations. I now come to what was said by the right hon. Gentleman the Member for South Lancashire upon a former occasion, with regard to the policy of maintaining our squadrons upon foreign stations, and also to what has fallen from the hon. Member for Pontefract upon the same subject this evening. The latter referred to three periods, giving the extent of our foreign squadron in 1846, in 1856, and in 1867. That, no doubt, answered the hon. Member's purpose very well; but I think it would be better, considering what has been said upon the matter, to give a full statement, and refer to what has been the policy of the country not at periods of ten years apart, but during the last seven years. I hold in my hand a statement which I have had prepared of the number of ships and men and the aggregate tonnage of the ships on the 1st of January in each year, from 1860 to 1867 inclusive, and I should like to give the House a few of these items. This statement, unlike that of my hon. Friend's, includes the Mediterranean and all foreign stations, and I find that, although from 1860 to the present time the change has not been very great, it has been in the direction of a gradual reduction, so that the amount of our force on foreign stations has been considerably less during this year than it has been during any former year since 1860. My hon. Friend adopted the plan of mentioning the number of men; I will mention the tonnage as well as the men. In 1860, then, omitting the tens and units, the men numbered 35,700, and the tonnage summed up 189,800. In 1861 the men numbered 38,500, and the ships' tonnage 202,400. In 1862, the men 48,900, and tonnage 209,300. In 1863, the men 32,500, and the tonnage 187,300. In 1864, the men 32,200, and the tonnage 190,300. In 1865, the men 28,900, and the tonnage 173,600. In 1866, the men 27,000, and the tonnage 167,500. In 1867, the men numbered 24,800, and the tonnage 160,500. Thus, the Committee will see that the aggregate force upon all our stations in the year 1867 is considerably less than it has been during the last seven years. Now, I will refer to that portion of the hon. Member's statement concerning a squadron which excites greater interest and greater doubts than any other—I mean the West African squadron. With regard to that we come generally to the same result. In 1860 the men on the West Coast of Africa numbered 1,900, and the ships consisted of 11,400 tons. In 1861, the men were 1,900, and the tons 10,800. In 1862, the men were 2,100, and the tons 13,700. In 1863, the men were 1,900, and the tons 14,700. In 1864, the men were 1,800, and the tons 14,800. In 1865, the men were 1,300, and the tons 14,300. In 1866, the men were 2,300, and the tons 17,900. In 1867, I find the men are reduced to 1,500, and the tons to 12,700. So that this year the West African squadron is smaller than it has been in any former year since 1860. [Mr. CHILDERS: Does the Return include the flag ship?] The figures I have quoted do not include the flag ship; but with that addition, even the comparison I have drawn would be very little altered. I have made these remarks, Sir, because the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), referring to my noble Friend behind me (Lord Henry Lennox), alleged, as I understood him, that it was improper to maintain a foreign squadron at so high a rate. The hon. Member for Pontefract (Mr. Childers) has offered a similar opinion to-night; but I ask him how it happens that, during the whole seven years in which he or his Colleagues were in office, similar doubts with regard to the propriety of these foreign squadrons seem never to have crossed their minds. The present Government succeeded to office only last summer, so that I do not wish to claim credit for having reduced the foreign squadrons to their present condition. But I wish to point out to the Committee that the recently announced views of the right hon. and hon. Gentlemen were not declared until the invigorating air of the other side of the House prompted them to doubt the expediency of continuing these foreign squadrons, which they maintained in greater force and in greater strength during their term of office; though I do not in the least blame them and their Colleagues for having done so. The question, however, remains as to how far we ought to maintain these squadrons, and to what extent, if any, we can afford to reduce them consistently with carrying out the services they perform in contributing to maintain our position as a maritime Power. If we had not squadrons in various parts of the world, we should be unable properly to check piracy, nor should we be able to carry on other national objects. There is only one more point to which the hon. Member for Pontefract alluded, saying a great deal that is most painfully true, but which has been said very often before —namely, the encumbered state of the *Navy List.* The hon. Gentleman mentioned the immense burden we have annually to support on the half-pay, the retired, and the reserved lists, which, as he observed, extend over nearly every letter of the alphabet. He knows well how great is the difficulty connected with this subject; for when men have once served the country, you cannot cast them adrift. This state of things results from the great naval power which we were obliged to maintain during the great war; for on the return of peace we found our *Navy List* so large that we were never able to bring it within the limits that could have been desired. The hon. Gentleman's suggestion — namely, whether some plan might not be adopted for buying out these officers, and so effecting an economical settlement without doing them injustice, is not a novel one; and I confess I think it would be very well worth trying. But there is another thing which it is incumbent on us to do, and that is to be very careful not to introduce into the navy a larger proportion of officers than is likely to be required for the service. Without wishing at all to deviate from that proper absence of party spirit which has characterized this discussion, I must say I think the late Board of Admiralty was not so cautious in this respect as it might have been. The first thing we had to do on coming into office last summer was to make a reduction of one-third in the number of cadets entering the service, through the list of cadets, midshipmen, and sub-lieutenants having become so crowded. We also found that the assistant clerks had been admitted to a very imprudent extent, so that the list was clogged; making it hopeless for them to rise in their profession or to have justice done to them; and we were therefore obliged to put an entire stop to the entry of them. I have felt it my duty, owing to my connection with these Estimates, to make these remarks; and I have to thank the Committee for the attention which it has accorded me.

MR. CHILDERS said, he wished to ask whether the addition to the second-class naval cadets would not really bring the numbers up to the point where they stood before the first-class cadets were reduced?

SIR JOHN PAKINGTON said, that when he spoke of the undue admission of cadets, he spoke not so much with reference to the aggregate of officers on the *Navy List* as with reference to the midshipmen and sub-lieutenants, and other ranks more immediately above them, which choked it up and prevented all hope of promotion.

MR. STANSFELD moved that the Chairman report Progress.

MR. CORRY said, he would not then press the Committee to proceed further; and he would fix the resumption of the Navy Estimates for Friday evening. With reference to the flag ship on the African station, the Admiralty had been obliged to send so large a ship there because they had not at the time a smaller one for that particular duty. It was proposed, however, as soon as possible, to replace the *Bristol* by a smaller vessel, and transfer her to another station.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

ECCLESIASTICAL TITLES ACT REPEAL BILL.—LEAVE.

Mr. MACEVOY said, he moved for leave to introduce a Bill for the repeal of this Act. As he understood no opposition would be offered at that stage, it was unnecessary for him to trouble the House with any observations.

Mr. O'REILLY said, no one could feel more strongly opposed to the Ecclesiastical Titles Act than himself—one of the first acts of his political life being to aid in depriving of his seat a personal friend who had not voted against that measure. He could not but ask, however, what would be the practical result of this Bill? If the hon. Gentleman were able to say that he had any assurance from Her Majesty's Government on the subject, or if he could hold out any hope of bringing the matter to a successful issue, he would have his best support and assistance. All, however, that the hon. Gentleman had stated was that the Bill would not be opposed at the present stage. He had been anxious to know what was the opinion entertained on this point by the Roman Catholic ecclesiastical authorities in this country and in Ireland, who felt most sensibly the injustice and pressure of the Act. He had accordingly had communications from the Cardinal Archbishop of Dublin, and also from the Roman Catholic Archbishop of Armagh and the Roman Catholic Archbishop of Cashel, and he had communicated personally with the Roman Catholic Archbishop of Westminster. He was therefore able to say that, much as they felt the injustice of the Act—and Dr. Manning had remarked how hard he felt it on him, as a Christian Bishop and an Englishman, daily to be obliged by a higher duty to violate the statute law of this country—the present proposal was no suggestion of theirs, and they did not feel it part of their duty to raise the question at this time. They feared that to do so would only lead to an idle agitation which would hinder more practical and serious measures. He could not express this feeling better than in their own words, and he would therefore, with the permission of the House, read two very brief extracts. The first was from the Roman Catholic Archbishop of Cashel, who said—

> "This is not the time to ask for a repeal of the Ecclesiastical Titles Bill. That question can very well wait for a while. At present the Irish Members ought to concentrate their energies upon the land, the Church, and the education question."

The Roman Catholic Archbishop of Armagh said—

> "It should be repealed; but if the discussion of it just now would have the effect, as I believe it would, of drawing off attention from matters of much more practical importance to Ireland, it ought to be postponed."

In those sentiments he entirely concurred. The law was, he believed, useless and unjust, and he hoped the good sense of this country would in time—and that a brief time—assent to its repeal. He saw, however, no good practical result which was likely to flow from raising the question at the present moment. If the hon. Gentleman could elicit from the Government a distinct expression of their opinion on the matter, then he might be doing good service. From those on his own side of the House, he required no such expression of opinion, because in 1851 they had the courage to stem the popular current, and to speak words of truth. If the Government were now merely to say that they would not oppose the introduction of the Bill, he held that such a statement would be no avail. He, under those circumstances, could see no advantage which was likely to arise from the hon. Gentleman's proposal.

Sir GEORGE BOWYER said, he should rejoice to think that there was any prospect of success likely to attend the Motion of his hon. Friend at the present time. They must all do justice to the generous motives which impelled him to make this Motion, to undo a great wrong inflicted upon a mistake and a misunderstanding. The Roman Catholic hierarchy of England and Ireland were stigmatised as guilty of a misdemeanour in doing that which was only their duty in accordance with their religious convictions. He believed a great mistake had been committed in passing the Act which it was sought to repeal—a statement the justice of which he hoped the good sense of the English people would lead them before long to acknowledge. He did not, however, think that public opinion was ripe for the change proposed; and he therefore thought it was desirable that his hon. Friend should not press on his Bill at present.

Mr. WHALLEY said, he understood that Archbishop—he begged pardon, he meant—Dr. Manning had expressed his regret that he was obliged to break the statute law of the land every day, and if the House of Commons and the Government allowed the law to be so broken, he should be disposed to second the proposal for the introduction of the Bill. He wished to know whether the Government meant to support this Bill? He contended that the concessions which had been made by the present and previous Governments had never been fairly submitted to public opinion.

Mr. GLADSTONE: I am only desirous of making a remark which appears to me to be called for by the speeches which have proceeded from my hon. Friend the Member for Longford (Mr. O'Reilly), and the hon. Member for Dundalk (Sir George Bowyer). *Primâ facie*, this Motion is one for relieving from certain civil disabilities the prelates of the Roman Catholic Church in this country, and we have had rather a striking declaration on the part of Gentlemen, than whom no other two Members in the House can be better qualified to represent the opinions of those prelates—that although they are convinced that the law inflicts upon them a wrong, yet, in view of the public interests and of more pressing demands, they do not wish to see the time of this House occupied and the temper of parties embittered by discussions which may, after all, prove fruitless. And I will never sit still and hear a declaration so wise as that which the hon. Members have signified as proceeding from those affected by the Act, without doing them the simple justice of saying that it does them the highest honour both as regards their judgment and prudence. In respect to the Bill itself, I confess on this occasion, I have on one point the satisfaction of coinciding with my hon. Friend the Member for Peterborough (Mr. Whalley) who feels —and feels justly—that it is a very considerable scandal that we should have a law of this description, which law no man volunteers to put into execution. I do not depart in any particular from the opinions which sixteen years ago it was my duty to express in this House at the time of passing this Act. The question then was, whether what I, for one, thought was a grievance, should be inflicted. The question of grievance to the parties who were the objects of the Act was a very material point. Another material point was the evil which ensued when a law was permitted to exist, which law could not be enforced. But is the time favourable for the introduction of the Bill of the hon. Gentleman? That is the whole case I wish to represent to the House, and the point to which it reduces itself. For if the circumstances are not favourable, surely it is not to be desired by any rational man, whatever his views may be, that he should stir up controversy and animosity unless he thinks a practical object can be attained. I ask myself, Is it to be attained? I confess the answer entirely depends on another question—which there is no one here to reply to—What are the intentions and views of Her Majesty's Government? I am unauthorized to speak for Gentlemen on this side of the House, or to utter more than the opinions I venture to form; but I do venture to form an opinion that as far as this side of the House is concerned, the hon. Member who makes this Motion will find little difficulty in the prosecution of his enterprize to a successful conclusion. But what are the intentions of Her Majesty's Government? Will the second reading of this Bill and its later stages be supported or not by Her Majesty's Government? If they will be, then I say, by all means let us go forward with the Bill. If it will not be supported by the Government, then, in my opinion, having such adversaries in his face, the hon. Gentleman's undertaking so opposed will be rendered hopeless by reason of that opposition. If there is not the assurance of support, let the hon. Gentleman make his Motion, and I am not the man to oppose it, but it will be singularly sterile in its practical results. We cannot ask any Gentleman opposite, who is probably not in possession of the views of the Cabinet, to speak for them; but it would be desirable that my hon. Friend the Member for Longford and his friends should make it their business to ascertain the intentions of Her Majesty's Government as to the course they mean to pursue with respect to the ulterior stages of the Bill.

Sir JOHN GRAY said, that during the last two days there had been floating rumours about the lobbies that Her Majesty's Government would support the Bill, and one of the organs of the Irish Executive, *The Irish Times*, had stated, on information received from this side of the Channel, that they were determined to do so. Now, in the absence of any Member of the Cabinet, he should be glad to hear from the Solicitor General for Ireland whether there was any truth in those rumours.

Mr. REARDEN said, he had not expected to hear such expressions as had fallen from the hon. Member for Longford

(Mr. O'Reilly) with regard to an Act which would be a disgrace to Roman Catholics as long as it remained unrepealed. He had more confidence in the support of Her Majesty's Government to this Bill than some Members on that side of the House. He could remember a time when the throats of Roman Catholic Members were very near being cut in the streets of London. From that time the Liberal party under Earl Russell had never been a strong one, and but for the influence of the right hon. Gentleman (Mr. Gladstone), it would have been smashed up. They were as much buried politically as Lazarus was bodily, and the right hon. Gentleman accomplished their resurrection. If Roman Catholic Members did not support this Motion they would have a sorry account to give to their constituents.

COLONEL GREVILLE said, he agreed in the opinion that the action of the hon. Member for Meath on this occasion would lead to no result. After the opinion expressed by the Roman Catholic prelates, who had taken a part on the side of law and order, he thought that the House had a right to know what course the Government—of whom he saw two Members though not members of the Cabinet present — would pursue in respect to the Bill.

MR. M'KENNA trusted that nothing which had been said or quoted by the hon. Gentlemen who were opposed to the introduction of the Bill would prevent its being read a first time. It was not usual at this stage to press the Government for an expression of opinion; but as hon. Members had it quite in their power to elicit the opinion of the Government at another day, he hoped that they would not prevent the Bill from reaching the point when all would be able to test the disposition of Her Majesty's Government. For his own part, he could not help believing that much of the indisposition of hon. Members to the introduction of this Bill arose from tenderness of feeling towards the head of the late Government, whose supporters they were. The noble Lord the head of the late Government, who now sits in "another place," was the author of this disgraceful Act, now sought to be repealed, and it was perhaps a pardonable consideration for his feelings which induced the hon. Member, who had quoted letters from distinguished prelates, to write to them in such a strain as to elicit their most commendable postponement of their own case to that of the laity; but for his (Mr. M'Kenna's) part, not having before him the communications which elicited these letters, he thought he would show greater consideration for the distinguished writers by giving his heartiest and most unqualified support to the Motion of his hon. Friend the Member for Meath, and by doing his utmost to remove from the statute book an Act which was not only a perpetual insult to Catholics, but a reproach to any Administration which permitted it to remain on the statute book simply to offend the well-disposed, and to be violated openly.

MR. NEWDEGATE said, that the opinion of Her Majesty's Government on the Bill would be very important. Those who valued the independence of the country, and the declaration made by Lord Russell on this subject, must object to the repeal of this Act. It was to assert that independence that the whole of the nation was roused. The people were most tolerant, but he believed it would be a rash act to repeal this law. The thirty Irish Roman Catholic Members were representatives of a foreign power in that House, and the people desired a reform of the House of Commons mainly because they found one party pitted against another, who were ready to throw out any bait to secure the votes of Irish Members. The feeling was growing strong in the country against that course of proceeding, and it was prudent on the part of the hon. Member to seek the repeal of this statute before the House of Commons should be reformed.

MR. CHICHESTER FORTESCUE said, that no one would support the Motion of his hon. Friend sooner than he would, if he thought that his hon. Friend was the authorized representative on the occasion of the Roman Catholic body, or, if he saw any chance of its obtaining the support of Her Majesty's Government; but, in the absence of any Member of the Cabinet, he did not think it would be right to call upon any Member of the Government present to express any opinion on it. One of the most unhappy recollections of his Parliamentary life was connected with the passing of the Ecclesiastical Titles Bill, which he had, in conjunction with his right hon. Friend near him, resisted. He would suggest that the second reading of the Bill should be fixed for the earliest day possible, in order to give the Government an opportunity of stating their views.

Mr. ESMONDE said, he would ask the representative of the Dublin University (Mr. Chatterton) to express the opinion of Her Majesty's Government.

Mr. BRYAN said, he hoped to hear what was the opinion of Her Majesty's Government on the question.

Sir PATRICK O'BRIEN said, he thought the Act wrong in its inception; but he doubted whether the Mover of its repeal was not unhappy in his selection of a time for proposing it.

Mr. MACEVOY said, he had not anticipated that the Bill would have met with such a reception from his friends. One hon. Member (Mr. O'Reilly) had brought down upon him the authority of the Church, but, as far as one prelate was concerned, he believed his opinion had been somewhat exaggerated by the hon. Member [*Cries of* "Name!"]—he referred to the Roman Catholic Archbishop of Westminster. He had had no opportunity of testing the views of the other prelates referred to. He still clung to the hope that the House would be prepared to allow the Bill to pass a first reading. He joined with every other hon. Gentleman who had spoken in the expression of anxiety to learn from the Government what course they would pursue when the Bill came on for a second reading. The measure seemed to have fallen on hon. Members like a shell, almost like a Reform Bill. They all knew that there was no anxiety in the House so great as the anxiety lest the occupants of the Treasury Bench should introduce a satisfactory measure of Reform; but suppose the Government should take larger views than they were believed to entertain with regard both to Reform and this question, and deal with them in a liberal way. He had seen some changes in the opinions of Members of the House; and he was much inclined to think that the Government would disappoint the Gentlemen who had now made such telling speeches against him. ["Oh, oh!"] As far as he could judge, the speeches appeared to be directed against the course he had taken, and nothing had been left undone that could embarrass him in what he had undertaken. He certainly did not expect that at that hour (twenty minutes past one) a debate would be got up against the wishes of the Mover of a Bill like that, when it was well known to hon. Gentlemen that the Government had no intention of opposing its introduction, and when it was well known that in all probability no Members of the Government would be in the House, seeing that the first reading of the Bill was a mere matter of form. He was, however, willing to join them in expressing a desire to learn what course the Government would pursue, and he should be disappointed if the answer of the Government did not disappoint hon. Gentlemen on that side of the House.

Mr. BRADY said, he did not think this subject should be allowed to lie dormant, and he gave the greatest credit to his hon. Friend for the introduction of the Bill. He disapproved the way in which this Bill had been met by the Irish Members, and complained of the silence of the Government.

Colonel GREVILLE said, he thought the statute not only obsolete now, but obsolete from the time it passed.

The SOLICITOR GENERAL for IRELAND (Mr. Chatterton) said, that the right hon. Member for South Lancashire (Mr. Gladstone), and the right hon. Member for Louth (Mr. Chichester Fortescue), understood his position better than to expect him to express any opinion upon a question like this. All that he could say was that he had no special communication with the Government on the subject. The only intimation he received was that the Bill would not be opposed on the first reading, and it was not expected that any discussion would take place. The question was not peculiar to Ireland; certainly, it was not in his department.

Mr. COGAN said, he thought it was due to the House that some Member of the Cabinet should have been present. He did not think that discussion was desired, and perhaps this was another part of the "organized hypocrisy." He hoped the Bill would be withdrawn. He believed it to be a political sham, though not so intended by his hon. Friend, likely merely to delude the country. He called attention to the opinion expressed by the Roman Catholic ecclesiastics on the subject.

Mr. WHALLEY: I rise to order. I wish to know whether the hon. Member is not out of order in quoting a Roman Catholic ecclesiastical authority.

Mr. SPEAKER: The interruption of the hon. Member seems to me without foundation.

Mr. WHALLEY: Is it in order to mention these ecclesiastical authorities?

Mr. SPEAKER: There was nothing out of order in the speech of the hon.

Member, and nothing to justify interruption.

Motion *agreed to.*

Bill to repeal the Act of the fourteenth and fifteenth Victoria, chapter sixty, intituled "An Act to prevent the Assumption of certain Ecclesiastical Titles in respect of places in the United Kingdom, *ordered* to be brought in by Mr. MACEVOY, Mr. M'KENNA, and Mr. LEADER.

THAMES EMBANKMENT—SHEILDS' PETITION.—MOTION FOR A SELECT COMMITTEE.

MR. LOWE said, that he also had an Irish grievance. He moved for a Select Committee to be appointed to inquire into the facts stated in the petition of Mr. Francis Webb Sheilds. That gentleman's plan for the Thames Embankment had been selected out of those of fifty-nine other engineers as the foundation of the plan upon which that great work had been carried out under the superintendence of the engineer of the Metropolitan Board of Works. Mr. Sheilds had been put to considerable trouble and expense in preparing his plans for the competition, for which he had received no compensation whatever. He thought the case was one which deserved to be inquired into.

Motion made, and Question proposed,

"That the Petition of Francis Webb Sheilds, C.E. [presented 8th March], relative to the Thames Embankment, be referred to a Select Committee to inquire into the allegations thereof and to report their opinion to the House."—(*Mr. Lowe.*)

MR. HUNT said, he trusted that the right hon. Gentleman would not object to the debate being adjourned in consequence of the absence of the First Commissioner of Works (Lord John Manners), who had left the House under the impression that the Motion would not have been made at that late hour (five minutes to Two o'clock).

MR. LOWE said, he must decline to assent to the adjournment of the debate. It was the business of the First Commissioner of Works to be in his place when such a Motion was likely to be made.

MR. HUNT moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Hunt.*)

The House *divided*:—Ayes 6; Noes 28: Majority 22.

Mr. Speaker

POLICIES OF INSURANCE BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to render Policies of Insurance assignable at Law, and to enable assignees of such Policies to sue thereon in their own name, *ordered* to be brought in by Sir COLMAN O'LOGHLEN, Mr. Serjeant BARRY, Mr. VANCE, and Mr. PIM.

House adjourned at Two o'clock.

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HOUSE OF LORDS,

Friday, March 22, 1867.

MINUTES.]—PUBLIC BILLS—*Committee*—Metropolitan Poor (45).
Report — Metropolitan Poor (45); Trades Unions (44 & 57)*; Hypothec Amendment (Scotland)* (49).

REPRESENTATION OF THE PEOPLE—STATISTICS.—OBSERVATIONS.

EARL STANHOPE said, he observed it had been stated in the House of Commons that a Return of great importance would be laid upon the table of that House—he believed it was to be produced that night—illustrative of the number of persons that may be expected, under the proposed Reform Bill, to have votes, and in other respects having an important bearing on that measure. Now, he thought it was very desirable that their Lordships' House should also have the same information; and he hoped, therefore, that the noble Earl at the head of the Government would consent that whatever information was laid before the other House should also be produced to their Lordships.

THE EARL OF DERBY thought the request of the noble Earl perfectly reasonable. He had no difficulty in promising that their Lordships should have all the information that may be laid on the table of the other House.

COLONIAL CHURCHES.

PETITION.

THE EARL OF HARROWBY rose to present—

"A Petition from the Bishop, Clergy, and Lay Representatives of the United Church of England and Ireland, in the Diocese of Sydney, Australia, praying that no Steps may be taken which will enable Bishops to be consecrated in and for the Colonies in a Manner contrary to the recognised Rules of Ecclesiastical Policy and the Ordinances of the United Church of England and Ireland, or which will in any Way affect the Relation of the Members of the Church in the Colony towards the Church in the United Kingdom, or weaken the Connection between the Church in the Colony and the Church in the United Kingdom."

It would be in the recollection of their Lordships that when the measure to which this petition referred was introduced into Parliament last Session considerable doubts were expressed as to what would be the effect of the measure, and among others he himself expressed his doubt whether it would be acceptable to the parties for whose benefit it was professedly intended; and he suggested, on the withdrawal of the Bill, that advantage should be taken of the interval to ascertain the opinion of the colonies, in order that Parliament might not legislate on a question of such importance without giving the parties affected an opportunity of being heard. It so happened that, by the force of circumstances, that Bill was not proceeded with, and the question remained unsettled, though it was understood that the Government intended to introduce a measure to the same effect in the course of the present Session. The interval between the two Sessions had been employed by some at least of the colonies in considering the subject; and the result was the petition he held in his hand, signed by 120 of the clergy of the diocese of Sydney, which was the metropolitan see of the Church of England in Australia. The prayer of the petition was in effect that no such measure as that of the last Session should receive the sanction of their Lordships, and specifically against the proposal contained in one of the clauses of that measure, whereby a colonial Bishop might have been consecrated by the laying on of hands of a single Bishop, as contrary to the universal practice of the Church, which had always been that the consecration must be performed by three Bishops. It was therefore clear that the measure of last year, in the opinion of the united synod of the colony, lay and clerical, would have been most injurious to their feelings. He believed that a similar petition from the diocese of Melbourne was in the hands of a noble Friend (the Earl of Carnarvon), and no doubt the feeling of other colonies was very much the same, and he could not but congratulate their Lordships on the delay which had fortunately interposed to prevent the passing of that measure. It had always seemed to him that it was a very short and perfunctory mode of dealing with the unquestionable difficulties incident to the relations between the colonial Churches and the mother church, merely to turn them loose, and leave them altogether to themselves. Yet this was, in fact, the purpose and object of the Bill of last Session. Many of the difficulties which existed, or were supposed to exist, when the Bill was introduced, had since been diminished to a considerable degree by the decision of the Master of the Rolls, from which it appeared—and the decision had not been overruled—that there was not that total failure of effect in the patents of the Crown which had been supposed, and whatever difficulties might exist, surely arrangements might be made by which an appeal might be secured for the benefit of the colonial Churches to the ultimate resort of the Privy Council. He was aware that that course was not very agreeable to certain parties, for there had been growing up of late a very great aversion to the jurisdiction of that Imperial, or indeed of any civil courts in ecclesiastical matters. There might be objections to the constitution of the Privy Council; but he could not but think, whatever objections might exist, that we should not impose on the daughter Churches against their will the necessity of abstaining from appeal to that tribunal which decided all similar cases in the mother Church. He desired to express his strong feeling that the question referred to in the petition was one that ought to be referred to a Committee of their Lordships' House, in order that the difficulties connected with it might be fully investigated before the whole House was called upon to come to any decision on the subject. With these observations, he begged to lay the petition upon the table.

THE DUKE OF ARGYLL said, he was confident there was a great misunderstanding as to the intention and effect of the Bill of last Session. The noble Earl (the Earl of Harrowby) had spoken as if the effect of the measure would be to deprive the members of the Church of England in the colonies of the appeal to the Privy Council which the Church of England now enjoyed. But that would in no way have been the effect of the Bill. The appeal would remain precisely on the same grounds as the appeal of any other religious body. Since the close of last Session, when he addressed the House at some length on the subject, and, in consequence of the observations he then made, one or two communications had been addressed to him on the part of colonists; and, as far as he understood them, they did not seem to understand the question, and appeared to think that there was some connection between the Crown and the Church of England in the colonies which did not really exist. As the Master of the Rolls had said—

> "The United Church of England and Ireland is no part of the Constitution in any colonial settlement, nor can its authority or its Bishops claim to be recognised by the law of the colony, otherwise than as members of a purely voluntary association."

That dictum was incompatible with the desires and wishes expressed in so many letters from the colonies. The supremacy of the Crown could not be maintained within the colonies in the same sense in which it was maintained here; the supremacy of the Crown could be maintained in the colonies only so far as it meant supremacy of the law.

THE ARCHBISHOP OF CANTERBURY: My Lords, I am glad my noble Friend (the Earl of Harrowby) has brought the subject again before your Lordships. The question of the connection between the Home and the Colonial Churches is one of great difficulty, and the more it is discussed the more shall we be likely to come to some understanding upon it. The question is how that connection shall be maintained? and it is one on which, undoubtedly, great diversity of opinion prevails. My noble Friend has presented a petition which spoke anxiously in behalf of Bishops being consecrated in England for the colonies, and in behalf of the supremacy of the Crown being maintained as in times past. With regard to the consecration of the Bishops here, there can be no difficulty on the part of the Bishops, but there may be a difficulty in the way of the Crown compelling it. I received by the post yesterday these four answers to questions which had been put by my right rev. Friend (the Bishop of London) in a circular addressed to colonists, with the view of ascertaining the feelings of both the clergy and the laity on the points referred to. The answers are those of one to whom the circular had been addressed:—

> "1. I cannot see why the Bishops of British Colonies should receive their mission from the Archbishop of Canterbury, or why, as the English gives and does nothing for the help of the Colonial Church, we should be hampered by its patronage and interference. Such an arrangement would, I conceive, be a source of delays, inconvenience, and weakness; and the English Church would not, I think, be acting the part of a friend if they claimed the right, which would not fail to damage us in the judgments of the other Protestant bodies.
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> "2. A court of appeal so distant would, I conceive, be worse than worthless, and would be utterly beyond the reach of the poor man. It would, therefore, be a court of appeal only for the rich; while it would clearly imply that we in the colonies are not worthy of being trusted in the management of our own affairs.
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> "3. The Royal supremacy question has, I believe, been virtually settled by the Judicial Committee of the House of Lords. Our Bishops, if I recollect rightly, have been told that they can exercise no authority under the Sovereign, and that we are on equal terms with the other bodies. I am unable, therefore, to see that the Royal supremacy is an element of our condition here.
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> "4. Unity of doctrine and discipline is, I conceive, the great bond by which we are united to the Church of England; and our New Zealand Church constitution provides that this link shall be maintained inviolate. Whether for good or bad the mother must now part with her child in this island, and she will show her good feeling by frankly wishing it 'God speed.'"

I thoroughly believe that that is the best security that can exist, and I do not know that you can find any other which you can force upon the colonists. As to forcing upon them the Royal supremacy, you cannot do it in the way it is done here. Here the Sovereign is supreme in all causes, ecclesiastical as well as civil; but then ecclesiastical causes must go through Ecclesiastical Courts. In the colonies there are no Ecclesiastical Courts; therefore, no ecclesiastical causes from the colonies can be brought before the Committee of the Privy Council here. I quite admit that these causes may come through a different channel to the Committee of the Privy Council; they may come through the civil courts in a civil aspect. There are several parallel cases in which doctrinal matters have been dealt with by the civil courts. The case of Lady Hewley's charity will be familiar to many of your Lordships. In the time, I think, of Charles II. Lady Hewley left an endowment for the maintenance of godly ministers, which ultimately fell into the hands of the Unitarians. The matter went to the Committee of Privy Council, and as the persons to whom it had been left held views different from those of Unitarians, the endowment was taken from the Unitarians by the civil court, and given back to those who brought the matter before the court. So in like manner similar matters from the colonies may come before the Committee of the Privy Council. Suppose a voluntary contract were entered into, the Colonial Court is bound to maintain it in the way laid down in the fourth answer. A clergyman preaches doctrine that is held by the Synod to be contrary to the doctrine of the Church of England; the Synod deposes him; he appeals to the civil courts, they ratify the judgment of the Synod, and he appeals to the Privy Council. That is the mode of proceeding that is still open to either party; and therefore neither is, in any way, cut off from the protection of the Crown. It has been said more than once—"What is to become of these separate Churches? They may drift into all sorts of doctrine. One Church may become Romanist and another Socinian." But they might just as easily have done this before as they can now. What was there to have prevented the Church in New Zealand becoming a Roman Church if it chose? Between the colonial Churches and the mother Church in England, there is the strong tie of reciprocal affection, and there is also, I may add, the tie of interest; and the connection between them may be thus maintained just as strongly and securely in the future as it ever has been in the past.

THE EARL OF CARNARVON: My Lords, I have a petition to present to your Lordships from the Bishops, Clergy, and Laity of Victoria, and its prayer is much to the same purport as that of the petition presented by my noble Friend. My noble Friend states that his petition deprecates any steps being taken—

> "Which will enable Bishops to be consecrated in and for the colonies in a manner contrary to the recognized rules of ecclesiastical policy and the ordinances of the United Church of England and Ireland."

I must say I fail to understand what is the real meaning of the petitioners in using these words. A few weeks ago I entered very fully into the subject, and I need not repeat what I then said; but I beg the House to remember that a mandate would be issued, through the Archbishop, for a consecration in this country; while for a consecration in the colonies it was unnecessary that the Crown should issue a mandate—and, indeed, it would be against the dignity and credit of the Crown that the Sovereign should be advised to issue a document which, upon the face of it, could not be of any validity in the colonies. Your Lordships will remember that there is an alternative to the appointment of Bishops by the Crown, and that in Canada Bishops are elected by diocesan synods with the most complete freedom. The Bishops are the principal parties to the petition which I have the honour to present to your Lordships' House. The Bishop of Melbourne is even in favour of the colony of Victoria electing its own Bishops, although it is true he desires that the formality of a confirmation of the election should be gone through. I gathered from the petition which was read by my noble Friend, that the petitioners insist upon the maintenance of the old canonical rule that three Bishops should be present at every consecration. Now that I believe is a very wholesome rule, and I have never heard that there was any intention to depart from it. And here I must, in justice to the right hon. Gentleman who was my predecessor in the Colonial Office (Mr. Cardwell), state that my right hon. Friend did not contemplate, either directly or indirectly, when he introduced his Bill in another place last year, to take any step which could be fairly said to be at variance from the ecclesiastical policy and ordinances of the Established Church of England and Ireland. As for myself, I challenge any one to point out an act of mine which would justify the supposition that I intended to take such a step. Then the petition presented by my noble Friend goes on to refer to a larger and far more important question. The petitioners pray that no steps may be taken which might tend to weaken or impair the connection subsisting between the colonial Churches and the mother Church of this country. The only objection I have to that part of the petition is that the petitioners assume as a fact that such steps have been taken or have been contemplated. Now neither my right hon. Predecessor in office, nor any Secretary of State, nor any Government of late years, has done anything to weaken that connection—and for this simple reason—that there is no longer any connection to weaken or impair. The petition then asks that the colonial Church may always be considered an integral part of the Church of England and Ireland as by law established. But let us see what is the meaning of those words. They seem to me almost to be a contradiction in terms. If the petitioners are using these words in a doctrinal sense, and mean that the colonial Church accepts the same standards of faith, and is bound up in the same unity of doctrine, observances, ritual and liturgy with the Church at home, then I agree that the two Churches are one; and in that sense I trust that the colonial Church will always remain an integral part of the Church of England and Ireland. But, if used in any other sense, what is the meaning of the expression, "the Established Church of England and Ireland?" The Church of England and Ireland is, in fact, constituted by statute. As far as its legal status is concerned, it is created under the Act of Union, which combined the two Churches of England and Ireland. It is a very elaborate organization, and in that organization the Bishops and clergy of the Church of England and Ireland have certain recognised positions and functions. But what colonial Bishop or colonial clergyman has any share whatever in this organization? The most rev. Prelate (the Archbishop of Canterbury) and my noble Friend have touched upon the Royal supremacy; and no doubt this question ultimately resolves itself into that. I spoke in your Lordships' House upon this subject a short time ago, and therefore I shall not make many remarks upon it now. I must, however, point out that the Royal supremacy has really no part or action in reference to the colonial Church. Of all the powers which the Royal supremacy is supposed to carry with it there is not one, with the exception of the appointment of Bishops, which has ever been exercised by the Crown in those colonies which are possessed of independent Legislatures. I think it will be admitted that if the Royal supremacy was possibly carried by settlers from this country to distant colonies, it must have been carried wholly or not at all. I myself entertain the opinion—which I believe is held by the highest legal authorities—that the Royal supremacy was never carried into distant colonies by settlers from this country. If, however, I should be overruled in this particular, and it be held that these settlers did take out the Royal supremacy with them, the question would arise whether they carried it out altogether. If it went out altogether it was, of course, subject to curtailment, abridgment, and abrogation just in the same way as it might have been modified in this country. And, indeed, the Royal supremacy has been modified in this country by a succession of statutes. It has been modified also in the colonies—in Victoria, for instance; in Canada, too, it was reduced to the merest shadow by an Act passed some ten years ago; and by the recent judgment of the Judicial Committee of the Privy Council it was reduced to a shadow in all the colonies which are possessed of independent Legislatures. Therefore, to raise the question of Royal supremacy is to raise up a mere phantasm. I admit that there are considerable difficulties in the present position of the colonial Churches; but those difficulties are to a great extent of our own making. My Lords, I have a strong sympathy with those Churches. I believe that very much has been done by them in their respective colonies, and therefore I should be sorry that the remarks I am about to make should be in any way misapprehended. We have committed the great mistake of training the colonial Churches in a spirit of dependence on the mother Church. We gave these Churches false and fictitious supports, which have been suddenly swept away. The Churches consequently find themselves placed in a position of extreme difficulty and embarrassment. I should not be at all surprised if at first they fail to perceive that their real strength does not rest so much in statutes and Acts of Parliament as upon their own inherent strength—their own inherent power of drawing closer together the bonds of that spiritual union which has hitherto connected them, and will, I trust, in all times, connect them with the mother Church. But we have also created other difficulties. Successive Governments have advised the Crown to issue letters patent to the colonial Churches, and the colonial Churches have acted on the supposition that these letters patent were valid. Suddenly, however, everything is changed, and it is discovered that the letters patent are null and void. The consequence is that questions are arising with regard to the legal and proper transmission of Church property in the colonies, and as to the position of the Bishops and the validity of the acts done by them, and as to the status of the clergymen ordained by these Bishops. Then if you look beyond that, as it was my duty to do a short time ago, you find a mass of legislation which would perplex any lawyer, and which to a layman is absolutely bewildering. That legislation was conducted at different times, by different persons, and under different circumstances. The same words and the same phrases are used in different senses in different Acts. I believe there are two ways of dealing with the difficulty. First of all, you may sweep clean away all this mass of conflicting anomalous and irreconcilable legislation, and place the whole matter on a simple and intelligible basis. That, in my opinion, would be the best, the simplest, and, if I may use the expression, the most workmanlike way of proceeding. If it be objected that that scheme is too large and extensive, the next best plan would be to repeal those particular clauses which inflict great inconvenience, and even personal hardship, and to place the law with regard to the admission of Bishops and clergy and the transmission of Church property on an intelligible basis, which should be fair and equitable as regards other sects. I do not consider it necessary to carry the subject further. I have thrown out suggestions for the consideration of my noble Friend the noble Duke (the Secretary of State). I trust he will give those questions his best attention, and carefully entertain those measures of procedure which I have just now described. I am sure this is a matter which presses for decision; but, at the same time, it is one of those questions which I should rather see not legislated on at all than legislated on hastily. I have only further to remark that while those difficulties do exist and are such as ought to be removed by the Government and Parliament, on the other hand I do not think that the colonial Church is in that hopeless condition which many persons have represented it as occupying. There are synods in almost all our free colonies. You have the organization of a great voluntary association. But the difference between such an association and an established Church, I take it, is this—that whereas an established Church rests on the law, and the members of it have a status in the eye of the law, the voluntary organization is not recognised by the law, and the members of the voluntary association have no legal status. Thus, a parish clerk in the smallest parish of the country has a legal status, while a Roman Catholic Bishop has as such no status at all. This is the position in which the Church of the colonies is placed. She is placed in the position of a voluntary association, whether that may be for the better or whether it may be for the worse. The Crown is supreme in controlling the terms of the contract, whether expressed or implied, between the various members of the body. In that sense, and that sense alone, the Crown is supreme. The colonial Church receives the protection which the Crown gives; she receives all the advantages which a civil court can give; but I do not apprehend that she has, or that she could have, the power of appeal, in ecclesiastical cases, to the Judicial Committee of the Privy Council in England. If there is a question of appeal, it must come as a civil question raised on a point of fact, brought from the civil courts in the colonies to this country. My Lords, though, no doubt, the petition which has been presented by my noble Friend, and that which I am now about to present, speak in common terms, stating as they do that there should be a connection established between the colonial Church and the mother Church of this country. Do not let us deceive ourselves in supposing that this is the feeling of each and all the colonial Churches. I think it right to say that there is a great division of opinion on the subject, and it is well to recognise the fact. It is perfectly true that the Synods of Sydney, Melbourne, and Adelaide, are agreed in favour of a connection with the mother Church of this country; but the Synod of Canada repudiates anything like the connection asked; and we know that in New Zealand no less than five Bishops, supported, as I understand, by the concurrence of the clergy and laity of their dioceses, have tendered their resignation of letters patent back into the hands of the Crown. Therefore I say that we have no right to suppose that these two petitions represent the common view, or in any degree the general sense of the colonial Churches. Therefore, the only safe course to adopt is, to respect in ecclesiastical matters just as we have with regard to civil matters the perfect freedom on the part of the colonists to self-government. This is the one great principle to observe, and if we stray out of that track it seems to me that we shall involve ourselves in difficulties. To attempt to build up upon a shadowy foundation of prerogative in the colonies a *quasi*-established or privileged Church would be to confer on them a useless and, I hold, even a mischievous boon; and, in the next place, it would inevitably place Parliament in collision with the colonial Legislatures; and I venture to say that in that conflict neither this House nor the other House of Parliament would ultimately prevail. I beg, my Lords, to present the petition of which I have given notice.

THE BISHOP OF LONDON: I beg to explain to what I understand the petitioners to allude when they ask that no legislation may take place which contravenes the usages of the Church. There was a clause —the 10th in the old Bill—introduced, I presume, *per incuriam*—which contained a provision wholly unknown in the practice of the Catholic Church—it enacted that a Bishop might be consecrated by one instead of by three Bishops; but that Bill having been withdrawn we have nothing to do with it now. What we have to regard is the prospect of legislation in the future. The noble Earl (the Earl of Carnarvon) seems to think there is no real force in the desire expressed by the petitioners that the supremacy of the Crown should be maintained; and he showed very lucidly how difficult it is in the totally different circumstances of the colonial Churches to maintain the Royal supremacy in the way in which it is maintained at home. But I think the noble Earl has not done sufficient justice to the importance of one point—namely, the consecration of Bishops under licence or mandate from the Crown. I attach much importance to that point on account of a recent decision, as your Lordships are aware, of the Rolls' Court. Many think that by the decision to which I refer a great deal of light has been thrown on this complicated question, while others no doubt think it has made the question more obscure. But be this as it may, that decision has been much canvassed in the colonies; and, as I understand it, the result of the judgment of the Rolls' Court is that a Bishop consecrated under licence or mandate from the Crown is in a different position from a Bishop consecrated without that licence or mandate. The judgment lays down this—that if a Bishop be consecrated by the authority of the Crown and goes to a colony with a territory assigned to him, within that territory he has the same powers as a Bishop at home, with this difference, that, whereas the latter may make good his claim by appeal to his own court and to that of the Archbishop, such a Bishop in the colonies can only make good his claim in a civil court, which, in consequence of his having been consecrated by mandate or licence, will maintain his power according to the law of the Church of England. If that be law, it makes all the difference whether a Bishop be consecrated by licence or mandate from the Crown or not; and therefore the petitioners are not desiring anything altogether impossible or useless when they ask that the Royal supremacy may be maintained. What they desire is simply this—that matters should remain *in statu quo*—that the decision of the Rolls' Court, which has not been appealed against, should remain the true exposition of the law as regards the status of Bishops now in possession of sees, or *quasi*-sees, in colonies. My reason, however, for rising is to express my full concurrence in what fell from the most rev. Prelate (the Archbishop of Canterbury) and the two noble Earls, when they fully acknowledged the great importance of this subject, and the propriety of its being considered with reference to the opinions of the colonists themselves. We received a general statement last Session of the desire of the colonists to be altogether set at liberty, as it was called—from the fetters by which they were bound to the Church and State at home. It is now acknowledged that there is a great diversity of opinion on this subject, and this is a very important point. I mentioned on a former occasion that I had taken the liberty of writing letters to many of the Bishops and clergymen in the colonial dioceses; and in that manner I have obtained a full explanation of the opinions entertained in thirty of these dioceses. My own calculation is that colonial opinion on the subject is pretty equally divided between those who wish to be free and those who desire to keep up the connection as pointed out in the decision of the Rolls' Court. It may be true that these persons scarcely understand the whole difficulty of the matter; but if the subject be brought before us in the shape of a Bill it would be of the utmost importance that the Bill should go before a Select Committee, and that evidence should be taken as to the opinions and wishes of the colonists. I hold in my hand two petitions — one from the Cape diocese, and the other from the diocese of Grahamstown. These are, I believe, an expression of the opinion of the minority in these places. It is of great importance that the opinion of the minorities in the several dioceses as well as of the majorities should be considered. The petitioners say it has been laid down by the Privy Council that in the colonies members of the Church of England are in the same position as the members of any other body; but that they are not if you prevent them from that which they consider essential to their Church—namely, a connection with the Crown of England as regards the appointment of Bishops and a strict adherence to the doctrines and principles of the Church of England. It is true there may be a voluntary agreement to adhere to the doctrines and principles of the Church of England; but, on the other hand, there may not, and persons who are attached members of the Church of their fathers may thus be forced into a position, which on principle they repudiate. A very strong feeling exists among the colonists in favour of maintaining their connection with the Church in which they were baptized, and to which their forefathers belonged; and that feeling is not growing weaker, but has been strengthened owing to the facilities of communication which now exist between the mother country and the colonies. In fact, is it not true that many of those who formerly looked forward to the entire separation of the colonies from this country, as was the case with the ancient republics and their colonies, have now modified their opinion, in view of the opportunities which exist for colonists to visit the mother country, and of the increasing desire manifested on their part to keep up their connection with Great Britain? The right rev. Prelate then presented the petitions he had referred to.

LORD MONCK trusted that in any measure that might be framed upon this subject we should not throw overboard in matters of an ecclesiastical nature the principle which had been adopted with such eminent success in civil matters—namely, that of leaving the colonists the most perfect liberty to manage their own affairs. That was the object of the Bill of last year, and such he knew was the intention of his noble Friend (the Earl of Carnarvon) to have carried out, had he remained in office as Secretary to the Colonies. He was satisfied that the connection between the Church of England and the Church in the colonies could not be maintained by any attempt on the part of Parliament to coerce them into uniformity; but by trusting to the identity of religious sentiment—to that good feeling towards this country and its institutions generally which he was happy to say prevailed in all our colonies. He could speak from his recent connection with our great colony of Canada, to the vitality, growth, and vigour which the Church had obtained in that colony from the complete freedom of government which it enjoyed; and he was sure, both with regard to the feelings of the country and the best interests of the colonies, they would do well to base any measure which the Government might be about to introduce on the principles which had been enunciated by his noble Friend.

LORD REDESDALE said, he condemned the practice of discussing this question on the assumption of a departure from unity of doctrine on the part of the colonial Churches. If he saw any danger of a loss of that uniformity, he should be ready to entertain the question; but he thought the apprehension expressed on the subject argued a lack of faith—evinced a want of faith in the truth and position of the Anglican Communion, which was highly derogatory to it. There was not the slightest danger to be apprehended on that point. All the evidence showed that if there had been any danger of that kind, it would have been realized in the Episcopal Church of America. The United States obtained their independence under circumstances ill calculated to foster any affection towards the secular or ecclesiastical institutions of the mother country; yet the Episcopalian body in that country, instead of deviating from the doctrines of the parent Church, came and sought ordination for their bishops in this country. The American Church, indeed, rendered great service in promoting friendly relations between the United States and this country, and this had been recently shown in a very interesting way. When the Civil War broke out, the Northern and Southern Churches naturally separated, in the expectation that they would belong to different commonwealths, but when the contest came to an end overtures for reunion were promptly made. There was some difficulty as to a bishop of either section preaching the opening sermon at the triennial convocation, and it was settled by the choice of the Bishop of Montreal, who went over to Philadelphia and took part in the consecration of some bishops, great satisfaction being expressed at his presence and fellowship with them; and it was a remarkable fact that he was the first bishop connected with the colony who assisted at the consecration of the American bishops. The Americans had always shown the strongest affection for the Church of this country. He thought there was at present no need of legislation to secure uniformity of doctrine in the colonial Churches. He hoped that in any legislation that might be adopted that nothing might be done or thought of upon that particular point. Some colonies might desire a connection with the mother Church in one form, others in another: and he did not see why the colonies should not be permitted to adopt their own views with regard to their connection with the Church in this country, or even to separate from it if they thought it best.

Their great object must be to sweep away that which had created the difficulty, and to do all that was encouraging, and that would give the greatest amount of liberty. And if they proceeded in that spirit he did not see the necessity of a long inquiry as to what their legislation should be.

LORD TAUNTON said, he had so recently expressed his opinion on this subject that he should not on the present occasion trouble the House with many observations. He had ever approached this subject with great distrust. Nothing could be more unfortunate than that schisms should arise in the colonial Churches—one party constituting itself a Free Church and the other continuing a sort of *quasi*-Establishment. It was fervently to be desired that the members of the colonial Church should guard against internal dissensions. The noble Lord (Lord Monck) had testified to the energy and self-reliance displayed by the Canadian Church after it had obtained the power of self-government; and the American Church, though it had had an independent existence of nearly a hundred years, had not, he believed, deviated in any material point of doctrine from the English Church, though it had made a few alterations in the Prayer Book, some of which were regarded as advantageous by many persons in this country. He trusted the Government would not permit the matter to rest, but would speedily introduce a Bill with a view to having the question settled. The Colonial Office had excellent legal assistance and the best information to enable it to prepare a satisfactory measure. He especially desired that the measure which he hoped soon to see would not be referred to a Select Committee, but that the whole responsibility would be thrown upon the House at large; and he trusted their Lordships would deal with the whole subject impartially and comprehensively.

EARL STANHOPE joined in the desire that the subject might be taken up by the Colonial Office; and he also hoped that the noble Duke now at the head of that Department (the Duke of Buckingham) might adopt the views of his predecessor in office in framing a measure to settle this difficult question. In asking him, however, his intentions with respect to this question, he did not press for hasty or precipitate legislation, for he felt that there would be difficulty in dealing with this question when there were matters of the utmost urgency pressing upon the attention of the House of Commons; but it would be satisfactory to the House and the country to know that an intention existed at the Colonial Office to put an end to the state of uncertainty in which those connected with the colonial Church were placed, so far as legislation could do so.

THE DUKE OF BUCKINGHAM said, he thought it would not be advantageous, having regard to future discussions upon the subject, if he were to enter at all upon the merits of the measures which had been suggested or to make any remarks upon the discussion which had taken place. He would, however, say that he participated very largely in the opinion expressed by his predecessor in office when he said it was advisable that the question should be submitted at no very distant day to the consideration of Parliament; and he also agreed with the remark that it was desirable when the question was submitted that it should assume the shape of a Bill introduced on the responsibility of the Government. Although some little delay might have arisen from official changes, he believed that in the course of a few days he would be able to submit to his Colleagues a measure which he hoped they would approve, and authorize him to introduce to their Lordships.

THE EARL OF HARROWBY, in reply, expressed his concurrence in the opinion that nothing of a coercive measure ought to be attempted. All that the colonists desired was that security should be taken in some form or another for the continued connection of the colonial with the mother Church.

Petitions *ordered* to lie on the table.

METROPOLITAN POOR BILL—(No. 45.)

(*The Earl of Devon.*)

COMMITTEE.

House in Committee (according to Order.)

THE EARL OF CARNARVON expressed his satisfaction at finding the Bill before their Lordships' House. The position of the metropolitan workhouses last year was absolutely discreditable and disgraceful; but he now hoped in twelve months' time to see a radical change, and the entire removal of those evils which at present existed. He congratulated his right hon. Friend the President of the Poor Law Board upon the ability he had shown in dealing with this question; and he thought their best thanks were due to those independent gentlemen who last year used their best endeavours to bring the condition of the London workhouses to light; and to show the necessity for some radical change in their management. They no doubt felt great satisfaction at the result of their labours. About this time last year he urged upon the right hon. Gentleman who was then the President of the Poor Law Board (Mr. Villiers) the adoption of certain rules as the proper basis of a measure on this subject, those rules having been recommended by the highest medical and surgical authorities in the metropolis. The right hon. Gentleman frankly admitted the necessity of them; and he was glad to find that they had, without exception, been embodied in this Bill by his successor. There were two other matters of an administrative character which he pointed out at the same time — namely, that the whole of the sick poor should be placed upon the common fund; and that a central representative Board should be created in London for the administration of the Poor Law. In those respects the right hon. Gentleman had not quite carried out the principles which he had recommended. Under the Bill, one-third of the indoor poor and the whole of the outdoor poor, with respect to the dispensation of medicines, would be made a common charge. This was a valuable step in the direction he desired, and he understood that his right hon. Friend contemplated further alterations in the administrative system, and possibly looked forward to a Central Board armed with still larger powers than those given in the Bill. He cordially approved the measure, and rejoiced to find that it had now passed through nearly all its stages.

THE EARL OF SHAFTESBURY said, he also wished to state that he looked upon the measure as most beneficial, and he believed he might say that it had been so received by the country. It was read the other night paragraph by paragraph at a large meeting of working men, and every paragraph was received with the utmost satisfaction. There were, however, one or two points to which he thought it necessary to direct attention. The Bill proposed to deal with the insane hitherto confined in workhouses on an entirely new footing. It was intended to erect large edifices of the nature of branch workhouses for the reception of the sick and insane poor, some of those buildings being capable of accommodating as many as 500 patients. It was necessary, therefore, to consider what was the state of the law as to placing and detention of lunatic paupers in such places. It had been decided that there was no power under the statute law to detain any one in a workhouse against his will, and difficulties sometimes arose from such inmates wishing to leave, and the masters endeavouring to detain them. Now that this transfer was to be made to large asylums it was absolutely necessary that a law should be defined—first, as to what persons were to be confined in the new buildings, as also the same protection against the detention of sane persons which was provided in the case of county asylums. The clause described those who were to be shut up in those asylums in the general term "insane," but cases of insanity were very variable, and he thought that some attention should be paid to that point. Again, the mixing up under the old system of insane with sane paupers gave the protection to the former, in case of wrong or injury done to them, of the testimony of reliable witnesses, whereas this proposal would deprive them of that security. He remembered a prosecution for ill-using a lunatic in which, though the testimony of his companions was very clear and decided, it was naturally received with caution, and the accused was consequently acquitted. He knew that the Poor Law Board were empowered to make stringent regulations; but he feared that unless the law respecting the admission of these patients were clearly laid down, the protection and treatment of lunatics might be unfavourably affected.

THE EARL OF DEVON was gratified to find that the Bill, as a whole, had the approval of the noble Earl (the Earl of Shaftesbury), whose zeal and interest in the well-being of the poor were so well known. With regard to the clauses relating to lunatics, he wished to point out, without expressing an opinion upon the special points to which the noble Earl referred, that the object of the Bill, so far as it went, was to ameliorate the condition of the insane poor. He thought that the condition of the insane poor would be greatly improved by their being placed in a separate asylum. The noble Earl had referred to the want of protection of the insane poor in these asylums; but he would see that the 30th clause authorized the Lunacy Commissioners to appoint one of their officers a member of the board of management, and by that means they would be fully cognizant of the state of the poor in the asylum. The observations of his noble Friend would receive the careful consideration of the Department.

Bill *reported*, without Amendment; and to be read 3ª on *Monday* next.

House adjourned at Seven
o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 22, 1867.

MINUTES.]—Public Bills—*Ordered*—Bridges (Ireland) *; Metropolitan Water Supply *; Petty Sessions (Ireland) Act (1851) Amendment.*

First Reading—Ecclesiastical Titles Act Repeal * [84]; Policies of Insurance * [85]; Bridges (Ireland) * [86]; Petty Sessions (Ireland) Act (1851) Amendment * [87]; Metropolitan Water Supply * [88].

Second Reading—Factory Acts Extension [62]; Hours of Labour Regulation [63].

Committee—Court of Chancery (Ireland) [47] [R.P.]; Consolidated Fund (£7,924,000) *; Inclosure * [72].

Report—Consolidated Fund (£7,924,000) *; Inclosure * [72].

CLERKS OF CONVICT PRISONS.
QUESTION.

Mr. Alderman LUSK said, he wished to ask the Secretary to the Treasury, If the Lords of the Treasury in December 1865 received a Petition from the Clerks of the Convict Prisons, praying that their salaries might be increased, the same being recommended by the Governor Colonel Henderson; and if in December 1866 their Lordships received a further Petition from the same parties with the same prayer, and whether any decision has yet been come to regarding it, and if there is any hope that their expectations may be realized?

Mr. HUNT, in reply, said, the present Question was nearly identical in its terms with one which the hon. Member put to him three weeks ago, and which he then answered. The petition sent in at the end of 1866 was received and the matter referred to another Department, and it was still under consideration. But he wished to point out to the hon. Gentleman that every question of that nature was, more or less, a remonstrance against the control exercised by the Treasury over public expenditure. Since he had held office at the Treasury they had had applications from almost every branch of the Civil Service for an increase of salary; and if every such application was to be followed up in that House by the putting of Questions like the present, it would be exceedingly difficult for any person in his position to retain a proper control over the public expenditure.

MR. J. M. HALL AND THE ROYAL BOUNTY FUND.—QUESTION.

Sir JOHN SIMEON said, he wished to ask the Secretary to the Treasury, Whether a grant has been made from the Royal Bounty Fund to Mr. J. M. Hall, of Fisher Street, Carlisle; on what ground and at whose recommendation such grant was made; whether he is aware of the character and antecedents of Mr. Hall; and, whether the money so granted has been actually paid?

Mr. HUNT said, in reply, that an application was made by the person named by the hon. Gentleman to the First Lord of the Treasury for a grant from the Royal Bounty Fund, representing himself to be a literary person in distressed circumstances. Lord Derby believed the statement, and was about to direct that the issue should be made to him from that Fund; but it came to his knowledge that he was not a deserving person, and therefore the intention was revoked, and the grant not made.

IRELAND—TYRONE MAGISTRATES.
QUESTION.

Sir JOHN GRAY said, that as he wished to make a statement on the subject of the Question he had upon the Paper, to call the attention of the Government to the observations reported to have been made by Mr. Justice Keogh, one of Her Majesty's Justices of the Queen's Bench in Ireland, at the Assize Court of the county of Tyrone on Friday last, with reference to the conduct of certain Justices of the Peace for that county, and the alleged consequent failure of justice; and to ask whether any and what steps have been taken by the Irish Executive or the Lord Chancellor for Ireland to institute a full inquiry into the facts of the case and the conduct of the Magistrates referred to, he would postpone his Question till the Motion for going into Supply.

Major STUART KNOX said, he would appeal to the hon. Member to further postpone the discussion of the subject. He himself was one of the bench of magistrates whose conduct was impugned; and though he was not present on the occasion, yet he knew very well that every one of his brother magistrates were persons of the highest character. ["Order, order!"]

Mr. SPEAKER explained to the hon. Member that he was out of order in discussing a Question which was not properly before the House.

Major STUART KNOX said, he hoped that the hon. Member's sense of justice would induce him to postpone the Motion, in order that he (Major Stuart Knox) might have time to procure the necessary information from Tyrone, which he was sure would enable him to refute every word alleged against the magistrates.

Sir JOHN GRAY said, that as his only wish was to ascertain whether justice had been done, he had no objection to postpone the Question till Thursday, when he would put it on going into Committee of Supply.

WEST INDIA COLONIES—GRANTS FOR RELIGIOUS PURPOSES.—QUESTIONS.

Mr. W. E. FORSTER said, he wished to ask the Under Secretary of State for the Colonies, Whether he can lay upon the table of the House a Return of the sums paid out of the Colonial Revenues of the different West India Colonies for religious purposes in the years 1864 and 1865; specifying the amount given to each religious denomination; also, Copies of the Colonial Acts or Ordinances under which such payments are made; and, also, whether he can inform the House if there be any fees, rates, or dues levied by Law for religious purposes in Jamaica; and, if so, under what conditions?

Mr. ADDERLEY replied, that all the information required was already published in the several blue books of the colonies; but he had no objection to its being taken out and placed in one Return, if possible. There were some fees of the character referred to, but he was not aware under what conditions they were levied.

ARMY—FLOGGING—H.R.H. THE COMMANDER-IN-CHIEF.—QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for War, Whether he has made any official communication to his Royal Highness the Field Marshal Commanding-in-Chief relative to the Resolution lately passed by the House on the subject of Military flogging, and has invited his Royal Highness's consideration of the subject?

Sir JOHN PAKINGTON: I have, Sir, no objection whatever to state, in answer to the hon. Member's Question, that I have had communication with his Royal Highness the Commander-in-Chief with respect to the Resolution to which the hon. Member refers; but I am sure the hon. Gentleman will excuse me if I say that I must reserve to myself a discretion as to the time when I shall inform this House of the result of that communication.

REPRESENTATION OF THE PEOPLE BILL—WEDNESBURY AND WEST BROMWICH.—QUESTION.

Mr. H. B. SHERIDAN said, he would beg to ask Mr. Chancellor of the Exchequer, Whether his attention has been drawn to the following statement of statistics with reference to Wednesbury, a town proposed to be enfranchised under the present Reform Bill, and West Bromwich, an adjoining town, namely:—That Wednesbury in 1861 contained 4,057 inhabited houses, West Bromwich 8,109; Wednesbury in 1861 had a population of 21,968, West Bromwich 41,795; that West Bromwich is the head of the Poor Law Union of which Wednesbury forms a small part; that West Bromwich is governed by special Improvement Acts, is rated to the poor in £107,000 per annum, has most important local manufactures, and between 1821 and 1861 increased in population from 9,505 to 41,795; that by the last Census West Bromwich contains 3,000 more inhabited houses than the highest of the proposed Boroughs and 6,400 more than the lowest, and has 13,000 more inhabitants than the most populous of such Boroughs and 29,500 more than the least; and, whether, if these statistics are to be relied upon and are, in fact, correct, he will have any objection to reconsider the question of enfranchisement with reference to Wednesbury, and either enfranchise West Bromwich or make some arrangement between West Bromwich and Wednesbury which will recognise the claims of West Bromwich to enfranchisement?

The CHANCELLOR of the EXCHEQUER: I understand, Sir, the Question of the hon. Gentleman to refer to the comparative claims of Wednesbury and

West Bromwich to representation in this House. I fear that the hon. Gentleman, who I know has great claims upon his time, has not been able to give his attention to the character of the schedules to the Bill. If he had done so he would have found that though the district was to have the title of Wednesbury, the constituency referred to was really to consist of the inhabitants of both Wednesbury and West Bromwich.

DISTURBANCES IN IRELAND—REV. MR. MAGINN.—QUESTION.

MR. WHALLEY said, he wished to ask the Chief Secretary for Ireland, Whether it is the fact that the Reverend Mr. Maginn, Roman Catholic Priest of Glenbegh, refused to be sworn as a witness on the inquiry relative to the affray in which Police Constable Duggan was shot, stating as the ground for such refusal that when he met the Fenians in Glenbegh he was acting as a Priest, and that he did not know any of the parties as he put a handkerchief over his eyes, the said Mr. Maginn being the person referred to by the Chief Secretary for Ireland on the 18th February as having acted boldly and loyally; and, further, that the Roman Catholic Bishop Moriarty, also referred to by the Chief Secretary as having "cursed" the Fenians, has expressed his entire approval of the conduct of the said Mr. Maginn in so refusing to be sworn; and, whether any further steps have been taken or are intended to be taken to obtain the evidence of the said Mr. Maginn?

LORD NAAS, in reply, said, he was not aware that any particular inquiry had been instituted into the occurrence to which the hon. Gentleman referred. If, as was implied by the form of notice which he had given the day before, Sub-constable Duggan had died, then, of course, an inquiry would take place; but as, he was happy to say, Duggan was now recovering, no coroner's inquest on his body had been held. No official information had reached the Government of any such occurrence as that indicated in the Question.

MR. WHALLEY: Did the noble Lord mean to say that there had been no inquiry made with respect to the affray in which Duggan had been shot?

LORD NAAS: There has been no particular inquiry; but informations have, of course, been taken in the case.

The Chancellor of the Exchequer

REPRESENTATION OF THE PEOPLE—MEMBERS FOR SCOTLAND.

QUESTION.

CAPTAIN WHITE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the Statements made by him in the House that it is the intention of Government to increase the Representation of Scotland, and also that "the improved Representation of Scotland is not to be satisfied by the sacrifice of English interests," are to be explained by an intention on the part of Her Majesty's Government to diminish the number of Irish Representatives?

THE CHANCELLOR OF THE EXCHEQUER: Sir, when I first read this Question I thought it was probably intended to convey a friendly intimation on the part of the hon. and gallant Gentleman as to the source whence the increased Representation of Scotland might be supplied; but it certainly is not the intention of the Government to provide that increased representation at the expense of the sister country.

CAPTAIN SPEIRS said, he would beg to ask Mr. Chancellor of the Exchequer, if he will inform the House as to the source from which he intends to provide the promised additional Representation for Scotland?

THE CHANCELLOR OF THE EXCHEQUER: I think, Sir, it somewhat ungracious on the part of the Scotch Members that after the announcement which has been made by the Government as to the increased Representation for Scotland they should press also for information as to the means by which the supply is to be found. I would beg the hon. and gallant Gentleman to have confidence in the bounty of the Sovereign and the wisdom of Parliament.

REPRESENTATION OF THE PEOPLE BILL.—BOROUGH FRANCHISE.

QUESTIONS.

MR. WARNER said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he can furnish the House with any estimate as to the number of £10 Borough Voters which will be added to the present constituencies by the Clauses of his Bill relating to the distribution of seats only without reference to the alteration of the franchise; also, how many

County Voters will be disfranchised by the same process; and, whether he can say how many £10 Voters will be added to the constituency of the Tower Hamlets when incorporated with the parish of West Ham?

THE CHANCELLOR OF THE EXCHEQUER: Sir, as I have received no notice that the hon. Gentleman was about to put those Questions, and as they require a precise answer, it would, I think, be convenient that they should be put on the paper, in order that I may the more clearly understand them.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MANAGEMENT OF SCOTCH BUSINESS IN PARLIAMENT.—QUESTION.

MR. BAXTER said, he would beg to ask the Secretary of State for the Home Department, If any changes are contemplated in the management of Scotch business in the House of Commons? It was not generally known by hon. Members in other parts of the United Kingdom that the Lord Advocate was not only the Attorney General for Scotland, having very important and varied legal duties to perform, but he was also expected to take charge of the general civil administration of that part of the Empire, with only a nominal responsibility to the Home Office. The Lord Advocate, in fact, was the political dictator of Scotland. What he wanted to lay before the House was, that there existed a very strong, reasonable, continual, and increasing feeling of dissatisfaction in Scotland with regard to political matters, that so much power, patronage, and legislative responsibility should be placed in the hands of a practising lawyer, whose ordinary duties were onerous enough and quite sufficient to occupy his whole time, without casting upon him other functions which he could not adequately perform. The Lord Advocate of Scotland was always one of the most distinguished members of the Scotch bar, with a large practice before the courts in Edinburgh, which rendered it quite impossible for him to be at all times present in London when those courts were sitting. Three years ago the hon. Member for Ayrshire truthfully described the duties of the Lord Advocate as being so diverse, so conflicting, and so complicated that no parallel to them could be found either in England or in Ireland. That hon. Gentleman then moved for a Select Committee to bring about a change. In 1858, he (Mr. Baxter) submitted a Resolution to the House that one Under Secretary of State should be appointed in the Home Office to perform the functions and the political duties of the Lord Advocate; but the matter was not understood by the House, and they would not accept the proposal though many Scotch Members had voted in its favour. The question, perhaps, was not then ripe for discussion; but circumstances had since occurred which might ensure a more favourable answer to his inquiry. In the year 1858 petitions and memorials had been sent up from all parts of Scotland advocating the proposed change. The people of that country generally were persuaded that no measure was more likely to prove beneficial to them than one of that character, which would have the effect of relieving them from the domination of a few Scotch lawyers. In 1858 he had ventured to say that the time might come when the Lord Advocate would not have a seat in that House. That statement was received with a smile of incredulity; but it was the fact that at the present moment the Lord Advocate had not a seat in the House of Commons, and the consequence was that Scotch business had come to an entire dead-lock in that House. He was aware that the Home Secretary was nominally responsible for the conduct of Scotch business; but the right hon. Gentleman, when asked a question on Scotch business, appeared perfectly helpless. This state of things could not be permitted to go on much longer. If he were rightly informed, the Government had a number of important Bills in readiness with reference to Scotland, but there was no one to take charge of them; and he believed that for the future there was less chance of the Lord Advocate obtaining a seat in that House. He knew that it was objected that a Scotch lawyer was needed to take charge of the Scotch Parliamentary business, because it was invariably of a technical nature connected with the peculiarities of Scotch law. He denied that that was the case, and during the twelve years he had sat in the House he had noticed that the great majority of the Scotch measures introduced had been of that nature that, had they related to England, no one would have thought of placing them in the hands of the Attorney General, as they would naturally have fallen to the province of the Home Secretary. The financial part of the question, as relating to the salary of the Under Secretary of State for Scotland, or by whatever title the new officer might be called, was comparatively of little importance. If the change could be made, the money necessary for it would be well expended ; but, as the First Scotch Lord of the Treasury received £1,000 a year, and the Secretary to the Lord Advocate £350, he did not see the necessity for any great increase of expenditure. He hoped that the Government would take his suggestion into consideration, and he could assure them that the Scotch people would be grateful if the Government took the present opportunity of putting an end to a system which was most unpopular in Scotland.

Sir ROBERT ANSTRUTHER said, he believed that the Lord Advocate, if he were present in the House, would admit that the amount of business he was called on to transact, both in London and Edinburgh, was of such a nature and extent that it was next to impossible that it could receive that attention which its importance demanded. The fact of the Lord Advocate having no seat in the House had at last brought the matter to a crisis, for it was impossible that the Home Secretary could be conversant with the details of Scotch business. It was not too much to expect that some Scotch Member might have the opportunity of taking part in the official transaction of Scotch business, and that that business should not be solely placed in the hands of the legal profession. He made these remarks in the most friendly spirit both towards the present and past Lords Advocate. He had no objection whatever to make to the present Lord Advocate ; on the contrary, he entertained the highest respect for his character and abilities ; but it was impossible that any man in his position could properly discharge the political duties committed to his hands.

Mr. CUMMING-BRUCE said, he could entirely endorse the observations which had been made on this subject, and he most sincerely trusted that the Home Secretary would take the matter into serious consideration.

Mr. DUNLOP said, he wished to express his concurrence in what had fallen from the hon. Member for Montrose (Mr. Baxter.)

Colonel SYKES said, he could bear testimony to the great inconvenience incurred by Scotch Members in having to trot to the Lord Advocate's office in Spring Gardens if they had to ask a question about Scotch business. The absence from that House of the officer responsible for that business was an intolerable nuisance.

Mr. HENRY BAILLIE said, he hoped that the right hon. Gentleman would consider the propriety of appointing an Under Secretary of State for Scotland. The fact was that the Scotch were the most lawyer-ridden and priest-ridden people in the world, and they were anxious to emancipate themselves at least from the dominion of the lawyers. Complaint was made on the score of the Lord Advocate not having a seat in the House ; but he considered that if he had a seat he would be of very little use, inasmuch as the duties he had to perform in Edinburgh were such that he could not possibly, with satisfaction to Scotch Members, take charge of the Scotch business that came before the House.

Mr. M'LAREN said, he believed that in Edinburgh the feeling in favour of the suggestion of the hon. Member for Montrose was as extensive as in any part of Scotland. About fifteen years ago a large public meeting was held in Edinburgh, at which the Lord Advocate presided, and a memorial to the Government was decided upon, which was subscribed by large numbers of the inhabitants. The Town Council, the Chamber of Commerce, and other public bodies also memorialized the Government on the subject. He was of opinion that the Home Secretary could not do a more popular act, as regarded all parties in Scotland, than accede to the suggestion made by his hon. Friend the Member for Montrose.

Mr. CRUM-EWING said, he could assure the right hon. Gentleman the Secretary of State for the Home Department that in the great city of Glasgow, of which he was a citizen, and in the burgh which he had the honour to represent, but one feeling prevailed, and that was strongly in favour of the recommendation of his hon. Friend.

MINES AND MINERS.

OBSERVATIONS.

Mr. G. CLIVE said, he rose to call attention to the Report of the Commissioners appointed to inquire into the condition of all Mines in Great Britain, to which the Act 23 & 24 *Vict.* does not apply. He considered the condition of the mining population, particularly in Cornwall, Wales, and the North of England, as very unsatisfactory. The state of things was very serious; the men employed in the mines were prematurely old, and communicated their infirmities to their offspring. Through the indomitable perseverance of the hon. Member for Perth (Mr. Kinnaird), his right hon. Friend the Member for Morpeth (Sir George Grey), then Secretary of State for the Home Department, thought it desirable to issue a Royal Commission, the Members of which, at great personal risk and inconvenience, visited the various localities, and came to a most conclusive Report. They reported in 1864; their Report was unanimous and very strong; but hitherto nothing had been done on the subject. The conclusions at which they had arrived deserved the serious attention of the House and of the Government. They had found that in metalliferous mines the men in many cases lived twenty years less than the general mass of our population. That excessive mortality was caused, not by any sudden and violent accidents, such as often occurred in collieries, but by the generally unhealthy influences to which the men were exposed. Among the principal of those fatal agencies was imperfect ventilation, and that amidst circumstances which must in any case be unfavourable to the maintenance of health. The miners had frequently to work at a temperature of not less than 100, and they were further subject to the alternate visitations of foul air, and of bitter and sweeping draughts. The Commissioners had recommended the adoption of regulations for the removal or the mitigation of those evils, and it was manifestly desirable that those regulations should as speedily as possible be adopted.

MR. KINNAIRD said, the statement the hon. Gentleman had made relative to the lamentable occurrence that had lately taken place must satisfy the House that there was a great call for legislation upon this subject. But the necessity for legislation was not limited to coal mines. There the danger forced itself on public attention by the wholesale sacrifice of life that too frequently took place, but the metalliferous mines equally required attention. The Report of the Commissioners in 1864 demonstrated this fact; but if they wanted a proof of the necessity of Reform they had it here, for that Report for all practical purposes hitherto might as well not have been made. Let him call attention to the following Resolutions:—

> "Resolution 1. That there is a great excess of sickness and mortality among metalliferous miners which is mainly attributable to the imperfect ventilation of the mines. 2. That several other causes, both general and local, largely contribute to impair the health of the miner—namely, exposure to cold and wet, and to sudden alternations of temperature, wearing wet clothes, inhalation of gritty particles, and the exertion of climbing ladders from great depths."

And here he would remark that in metalliferous mines the danger arose, not from firedamp explosions, but from the ordinary state of the mine atmosphere, which was capable of remedy. The present system of ventilation only kept up a current of air; but what was needed was a second shaft, such as was in use in coal mines, to change the air completely. This would effectively secure a ventilation which would prolong the lives now prematurely and lamentably cut off by a slow process of poison. It had been proved that the real danger of the miner did not lie so much in the explosion of firedamp as in the vitiated and unwholesome atmosphere which he was compelled to breathe while pursuing his avocation. Sickness and loss of vital power were very common among them on this account, and as a general rule a miner at fifty years of age, instead of being in the full enjoyment of vigour, like ordinary men, was a decrepid old man. As an illustration, he would quote a small portion of the evidence given before the Commissioners?—

> "Mr. Richard Burford Searle, M.R.C.S.: Are you well assured of that?—I was looking over my list to-day, and I came to that conclusion. It is remarkable how the children die off here.—Chairman; Is that conclusion drawn from the register, or from your own observation?—From my own observation.—Mr. Kendall: As far as your experience goes, do the children of the miners die more under three years of age than the children of the agriculturists?—Yes; most decidedly.—To what do you attribute that? Why should a miner's child be more subject to die under three years of age than the child of an agriculturist?—Because the father is generally in a more infirm state of health. The state of health of the miner tells upon the offspring decidedly. Mr. James Jago, M.D., Oxon, questioned by the Chairman: From your observations in the examination of miners, should you say that their illness was the effect of working in impure or poisonous air?—Looking at the anœmic and pasty colour of the miner, which is very peculiar, and other facts as to his breathing—and I have seen them come to me excessively weak, when I

have been unable to detect any special cause to account for their want of breath and general weakness, excepting the mere absence of the red colour in their features—the unfavourable condition under which they work alone seems to me sufficient to account for the great deterioration in their strength, and very likely for their gradual decay, bringing on premature old age, and I think a loss of their vital power or force."

The third Resolution of the Commissioners was to the following effect:—

> "That accidents are of frequent occurrence in metalliferous mines, and that they principally result from miners falling from ladders and stemples, or from one level to another; from falls of the rock or stuff; from want of caution in blasting; from defective gear and imperfect supervision of machinery; from sudden eruptions of water or foul air, and from the bursting of boilers."

And here he would suggest that the substitution of copper for iron tools in blasting, copper being confessedly not liable to explode, would be preferable, and would avoid one present great cause of danger, and that by a little expenditure the iron ladders now in use might be divested of their danger by the insertion of a slip of lead or of copper, like a sandwich, in the iron. What was, perhaps, wanted now for carrying out the Report of the Commission appointed in 1864 was a Commission to report as to the best means of immediately carrying out the Resolutions of that Commission. This was all he had to say as far as the metal mines were concerned.

With reference to the coal mines, a system of ventilation existed, but it was insufficient in many cases, as, for instance, in the Oaks colliery. There it was proved on evidence that for seventy miles of travelling way there was only one up-cast and one down-cast shaft. But at least two up and two down were necessary, and had they existed half the lives lately sacrificed might have been spared through that alone. The area of ventilation in all cases should be within defined limits. But this was not all—taking for granted that the men employed in mines would be often so unconscious of danger that they would frustrate the wisest regulations, he maintained that on that very account the risk they incurred ought to be reduced to the smallest minimum possible, and that if any indicator of risk existed the Legislature were bound to see that it was used. In the Barnsley pit the great loss of life would not have occurred if the state of the air of the pit had been registered. Mr. Ansell's fire damp indicator, he had reason to believe, supplied amply the means both of giving notice of any sudden outburst of firedamp and of marking its amount. The presence of 7½ per cent of firedamp was enough to insure explosion if mixed with atmospheric air. He thought, then, that it would be a great improvement on the present law if it was definitely enacted that the presence of 5 per cent of that gas should be considered an offence against the Colliery Inspection Act, for at present the amount was left indefinite, being "a dangerous amount," and therefore liable to be overlooked altogether. Some effective test, together with a system of telegraphic communication, would remove the present danger arising from sudden explosions, while a more effective ventilation would give a greater chance of escape, and also prvent the accumulation of firedamp to so great a degree. And a regular system of registration, also, while it would not prevent men "coming upon gas," would prevent their going down into the pit when gas to a dangerous extent was in it. One more suggestion he had to make was that this country should follow the example of the French Government, who had offered a reward of £4,000 for the best system of protecting lives. Such an offer would call out the energies of practical men to help in the solution of our difficulties.

SIR GEORGE GREY said, that a Bill upon this subject was in preparation when the late Government went out of office.

MR. KINNAIRD said, he thought that while thousands of lives were being sacrificed it was no answer to his appeal to that House for some speedy legislative enactment to protect the lives and the health of miners to be told that a Bill had been in preparation. What was wanted was immediate remedial measures. The noble Chairman of the Commission (Lord Kinnaird) had himself prepared and brought in a Bill which might have proved beneficial; but it was impeded, instead of assisted, by the late Government, and it was a Member of that Government who obliged him to withdraw it. When the present Government came into office an appeal was made to them to introduce a Bill, but the mass of business devolving on a new Government was some excuse for their not doing so; but he hoped and trusted that his right hon. Friend (Mr. Walpole) would satisfy these poor men who were certainly some of the most industrious of Her Majesty's subjects. They were treated with considerable neglect when legislation was deferred from time to time, notwithstanding the presentation of a Report showing how their lives were sacrificed. No private Member could bring in a Bill on the subject, and these men felt they were not represented. Who were these men to look to for relief unless to the Government, after the Government had obtained the information contained in the Report? To the noble Chairman of the Commission it was a matter of the deepest regret that a Bill was not introduced, knowing as he did that the fatal consequences continued to this day from want of legislation on the subject. If a deaf ear was still turned to such an appeal he could only repeat what he began by saying, that the country had here a practical proof of the need of Reform. What he pleaded for would involve, doubtless, some expenditure of money; but if this were to be placed in the scale against the lives of a most deserving and industrious class of Her Majesty's subjects, then, he said, it was proved that the possessors of capital were more effectively represented in that House than the creators of capital. He trusted, hawever, that Her Majesty's Government would take this question into their most serious consideration.

MR. KENDALL said, he had had some experience in mining matters, and he, together with the other Commissioners, had endeavoured to prevent the noble Lord at the head of that Commission from bringing in a Bill upon the subject, showing him that the matter was one of extreme delicacy, and that great care was necessary. Contrary, however, to the wish of the Commissioners, his Lordship had brought in a Bill, which he undertook, as a practical man, to say was as unpractical and visionary a Bill as any ever brought into the House of Lords. The ventilation proposed would be most difficult and expensive. The noble Chairman, while in Cornwall, had endeared himself to every one, and, some short time since, would have been received with open arms. Now, however so great a change had taken place in the feelings of the people, that whereas he was formerly almost worshipped by the miners, he would now, if he went into Cornwall, stand a very good chance of a ducking. The fact was that the noble Chairman, by proposing his Bill, had greatly offended every one connected with the mining interests; and the lords and adventurers were so opposed to a measure introduced by one who pretended, and who I really believe, wished to be their friend, that they had of late evinced a reserve which made it difficult to approach them. About two years since mining operations, which had until then been in a flourishing condition, were in a terrible state, and the present moment, when mining interests were so depressed, was about the worst possible one to select for introducing a Bill which would tend to increase the expense of working the mines. One-half of the miners had left Cornwall, and of those remaining the half were unemployed. Great profits had been and might again be made by mining; but he hoped that, while mining was in its present depressed condition, no measure tending to increase the expense, and consequently to injure the interests of the poor miner, would be introduced into Parliament. He repudiated the assertion that the children of miners were less healthy than those of other people, and asserted on medical testimony that, though the father might be what is called consumptive, the children were as fine and as healthy as those of the healthiest man in the world.

MR. BRUCE said, he did not agree with the opinion that the question was one admitting of easy solution. On the contrary, there were great difficulties in the way, and these would require grave and mature consideration. The evils arising from the manner in which the mining operations were carried on had not been exaggerated by the hon. Member for Hereford (Mr. Clive). The evils were mainly caused by defective ventilation, the ascending and descending, and the early employment of children in the mines. It was admitted on all hands that the mortality amongst miners between the ages of thirty-five and fifty-five was almost double the mortality amongst other classes of the working population. In collieries, good ventilation was absolutely necessary for carrying on the works. Without a large stream of air it would be impossible to carry on colliery operations; but it was not so in the Cornish mines; but the Cornish miner was behind all other miners in understanding the rules of ventilation. He (Mr. Bruce) knew that from having descended into mines of considerable depth. The condition of the workmen was awful, and the surprise was how they could do their work. When added to that the miner had to ascend after his work the height of a mountain, it would be seen what heavy calls there were on the strength of the miners of Cornwall. It was well known that in collieries the air was carried down one shaft and up another; but the ventilation in the Cornish mines was different, and men exhausted by work might have to climb up, breathing vitiated air that had passed through the mine. It would be impossible to supply the Cornish mines at once with the necessary facilities for ventilation, and the operation would in many instances be attended with great expense. The question was, what remedy should be applied. The late Government had examined the matter carefully; and after communicating with the Cornish Members and other persons, they had made considerable progress towards the preparation of a measure. He should pay homage to the humanity of Lord Kinnaird. His Lordship had spent a week at the mines in examining and acquainting himself with all the circumstances of the case, in order that he might be able to conduct the examination more effectively. What the late Government proposed to do, and what they would have done if there had not been a change of Ministry was this—they would have laid on the table a Bill re-constituting the Court of Stannaries with power to improve the ventilation of mines. And if there were no other means of doing so, it was proposed that inspectors should be appointed to recommend some means of ventilation. He believed the matter was ripe for legislation, and he believed that ventilation would not be followed by the ruin which his hon. Friend (Mr. Kendall) feared. The late Government very carefully examined the subject, but finding that the Bill of Lord Kinnaird was too sweeping in its provisions they could not support it. If the right hon. Gentleman the Home Secretary (Mr. Walpole) would look into the archives of the Home Office he would there find material to enable him to proceed with this question.

Mr. WALPOLE said, that the observations of his right hon. Friend (Mr. Bruce) were extremely just and accurate as to the course which the late Government intended to pursue, and which they considered would have been the best mode of remedying the evils that now existed. The proposal amounted to this—that the metal mining districts should be divided into seven, and that each should be placed under the superintendence of three persons selected from a general body, composed of lords, adventurers, and mining workmen. He admitted that the numerous things which had fallen upon him to do had prevented him taking up the subject with that speed which it deserved; but he begged to assure the House that he had not lost sight of it, and after the appeal which had been made to him to-night he would do his best to take the matter in hand, and to see if some measure could not be framed so as to prevent the present disastrous and injurious effects in these mines. As regarded the question of Scotch business in Parliament, the hon. Member for Montrose had referred to a proposal which he made some years ago in this House for the better conduct of the Scotch business. He begged to say that he did not coincide with the conclusions at which the hon. Gentleman had arrived. He believed himself, from the ability which had characterized a number of Lord Advocates who had had seats in that House, and from their knowledge and acquaintance with the Scotch Members, there was no part of the business of this kingdom really better done than the Scotch business. At the same time, he could not close his eyes to the fact that a great change had for some years been coming over the minds of the Scotch people, and that they would prefer that some civilian in the shape of an assistant or Under Secretary should be the medium of communication with them instead of the Lord Advocate. When this matter was brought before the House some years ago, it was lost by a great majority. There was a discussion subsequently, and there was then considerable division of opinion even amongst the Scotch Members themselves; but he was bound to say, after listening to what had been said in the debate of to-night, that amongst the Scotch Members on both sides there seemed to be no difference of opinion now, and they all seemed to be agreed that some change in relation to the conduct of Scotch business in Parliament should be adopted. If he might venture to give an opinion, he would say that his own views more or less—he would say, more than less—coincided with the opinions which had been expressed by those Gentlemen—and seeing at the present moment the great inconvenience of not having the Lord Advocate in the House, he thought that it was a matter which deserved the consideration of the Government, and he promised that so far as he was concerned it should receive the attention of Her Majesty's Government. One word in reference to the present state of things. The hon. Gentleman had said that when these Scotch matters were brought under his attention, he (Mr. Walpole) was entirely in the hands of the Lord Advocate. On that point he wished to observe that there were three distinct matters which the Home Secretary had to look after in reference to Scotch affairs. In the first place he had to superintend in Scotland, as he did in England, the general criminal business of the country. Then he had Church patronage to a large extent, and in the third place he was supposed, and did, with the aid of the Lord Advocate, attend to the Scotch legislation which occurred in the House of Commons. Now, with regard to the first of these matters, the superintendence of the criminal business of Scotland, he thought he might say that he had paid and would continue to pay as much attention to that as he did to the criminal business of his own country. With regard to the patronage, it was not just to say that it was left entirely to the Lord Advocate. In the case of every one of the livings which were given away he had all the testimonials brought before him, and he examined them himself before any patronage was disposed of. Therefore, instead of a nomination or suggested name being taken as a matter of course, the reverse was the case. It had happened to him within the last six months that he had been in office that he had had to question the propriety of three appointments, and he did not sanction those appointments, which were recommended to him not only by the Lord Advocate but by others. He was thankful to say that the late Lord Advocate, before his promotion to the Bench, informed him that in two out of those three appointments he had ascertained that he (Mr. Walpole) was right and that the Lord Advocate was wrong. This would show that the business was not done in a perfunctory manner, but that it was carefully conducted. As to the Scotch legislation, without the aid of the Lord Advocate he could not conduct it. As regarded the business now before the House, the hon. Baronet the Member for Peeblesshire (Sir Graham Montgomery) would be considered in this House as the person with whom the Scotch Members could communicate on all subjects of Scotch legislation, and the Lord Advocate, out of the House, would also communicate with them, and by their joint assistance he hoped they would be able to get through some of the most important Scotch business which would be submitted to this House in the course of the present Session. He might here remark that there were two Bills already in the House of Lords. First there was the Hypothec Bill, which had passed through Committee, and the other was the Recovery of Debts Bill, which was on the point of going through Committee. Then there was the Justiciary Courts Bill, which he believed would come down to this House at no very distant day. Then, as regarded the House of Commons, the Lyon King at Arms Bill had gone through Committee, and the Consolidation of the Public Health Bill stood for Monday next. This was an important measure, and if the Scotch Members would give him their assistance he would do his best to facilitate Scotch business in the House. He thought there would be advantage in having a civilian Under Secretary, who could be the medium of communication between the Scotch Members and the Government as to what ought to be the transaction of Scotch business in and out of the House, and whether the Government could see their way or not to such an appointment, he would at least take care that it was brought under their notice.

SIR GEORGE GREY said, he wished to confirm what had fallen from his right hon. Friend, not only as to the supervision by the Home Office of the affairs of Scotland, but also to the duties performed by the Home Secretary in reference to Scotch patronage. It was a mistake to suppose that the patronage was disposed of by the Lord Advocate. No doubt legal appointments were made after consultation with the Lord Advocate, and his recommendation was necessarily of great weight. As regarded the church patronage, the Home Secretary disposed of it on his own responsibility, as he did of the Professorships in the Universities, after obtaining the best information he could from every quarter. As to legislation, no doubt the Scotch Bills were framed with great care on the part of the Lord Advocate; but he understood that one complaint on the part of Scotch Members was, that during a large portion of the Session the Lord Advocate, if in extensive practice, was detained by legal business in Edinburgh. Another objection was, that under the present system Scotch Members, not belonging to the legal profession, had no opportunity of being brought forward to take charge of the Scotch business. He should be sorry to express a decided opinion as to whether an Under

Secretary should be appointed for the Scotch business; but he doubted whether he would have sufficient employment either of an administrative or legislative kind. He would suggest whether, by a different arrangement of the duties of the present Under Secretaries, one of them conversant with Scotch business might not, in the absence of the Lord Advocate, with the aid of the hon. baronet the Member for Peeblesshire (Sir Graham Montgomery), take charge of the Parliamentary business relating to Scotland. That arrangement might, as a temporary measure at all events, be satisfactory.

Mr. LIDDELL said, he was quite ready to go along with the hon. Member for Perth (Mr. Kinnaird) in any reasonable legislation, having in view the important object of saving life in mines, as far as practicable. But some of the remarks of that hon. Gentleman were, he thought, not altogether reasonable. The hon. Member, referring to the recent deplorable catastrophe at the Oaks Colliery, stated that there was positive proof that if certain precautions had been adopted that accident would not have occurred. Now, when the inquest was held, and an inquiry conducted with the utmost care and skill had been brought to a close, the jury were absolutely unable to satisfy themselves as to the causes of the accident. It was therefore too bold an assertion to say that there was positive proof that the calamity would not have happened if certain precautions had been taken. The hon. Gentleman stated that if the indicator had been in use in that colliery the presence of explosive gases would have been ascertained, and the danger might have been averted. But it should be remembered that that instrument was a most delicate and complicated piece of machinery, and it was exceedingly doubtful whether, as at present constructed, it was adapted to the ordinary wear and tear of coal mines. Though, however, it was a comparatively novel invention, and as yet had been only tried on a small scale, there was no indisposition on the part of the coal owners to give it a fair trial. It was not quite fair when such a strong feeling had been excited in regard to that accident to say that if an instrument like that had been used it would not have occurred.

Mr. KINNAIRD said, that he had not spoken upon his own authority on that subject. He understood from a gentleman of great experience in mining that the instrument in question was not so delicate as the hon. Gentleman supposed, and that where it had been tried it had been found effective.

Lord ELCHO said, he only wished to say one word upon the question brought forward by the hon. Member for Hereford. His (Lord Elcho's) attention had recently been drawn to this subject, and he would observe that the present state of inspection of coal mines was most unsatisfactory. They had twelve inspectors, but the inspection was practically null, for it appeared from a statement made by a deputation to the Home Secretary that one inspector had no less than 900 mines under his inspection, and therefore the House must see that it could not be well done. He had heard that the Oaks mine had not been inspected for six years, and Mr. Matthews, the chairman of the Mining Association, was of opinion that the two shafts at that colliery were quite insufficient. The upcast and downcast shafts were close together, and the air had to travel sixty miles through the works to supply ventilation. The men had to travel one-and-a-half to two miles each way through the works. Now, that was the case of a coal mine where there was the danger of an explosion. In the metalliferous mines there was not the same danger from explosion, but they were charged with deleterious gases most prejudicial to life; and though coal mines were nominally inspected, metalliferous were not inspected at all. There ought to be better arrangements for carrying off the noxious gases. It would be a wise economy, as well as to the interest of the miners, if there were a better inspection of all mines, in order to secure safety and proper ventilation. His hon. Friend the Member for Perth (Mr. Kinnaird) said that if miners were better represented in that House, these accidents would not happen; but he (Lord Elcho) had had an experience of twenty-six years in that House, and had always seen plenty of Members ready to take up such cases and to represent the views and interests of the working classes. With respect to the question raised by the hon. Member for Montrose, he had had some experience of the subject during the time that he was the Scotch Lord of the Treasury in the Government of Lord Aberdeen, and he must say that owing to the occasional pressure of legal business in Edinburgh rendering it impossible for the Lord Advocate to be in his place in Parliament, he had himself to discharge duties which would have properly devolved on that learned Lord. He thought that Scotch business would not suffer, but rather gain, if some such suggestion as that of the hon. Member for Montrose were adopted.

IRELAND—INSPECTORS OF WEIGHTS AND MEASURES.

MOTION FOR A SELECT COMMITTEE.

Mr. BRUEN said, he rose to move for a Select Committee to inquire into the justice of a claim for compensation to the late Inspectors of Weights and Measures in Ireland for the loss of their offices. He thought it was unfair to employ men for the best years of their lives in offices which they had reason to believe would be permanent, and then, when it was found that their services could be dispensed with, to displace them without compensation, leaving them, as was in many instances the case, to die of starvation by the roadside. Many of those gentlemen who held these appointments had given up others in order to accept them. Almost all of the officers whose case he was bringing before the House had received testimonials of their efficiency, and resolutions recommending the grant of compensation to them had been passed by the grand juries of various counties and the municipal corporations of several boroughs. The Act of 1860 had been amended by a subsequent Act in 1862; but a proviso introduced into that Act had proved fatal to the measure. The Act of 1835, which appointed these Inspectors, gave power to levy certain fees, and provided for penalties in cases of impingement. He hoped the House would consent to grant this Committee.

Mr. PIM seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the justice of a claim for compensation to the late Inspectors of Weights and Measures in Ireland for the loss of their offices,"—(*Mr. Bruen,*) —instead thereof.

Lord NAAS said, it was with great reluctance that he must ask the House to take a view of the case different from that of the hon. Gentleman who had just sat down. The fact was admitted that considerable hardship had been inflicted on those officers by the Act of 1860. He must, however, observe that they were not persons who gave up the whole of their time to the performance of their public duties, and that they did not occupy a position similar to that of officers in whose case compensation for loss of office was usually given. Upon that point, however, he did not lay much stress, the real question for the consideration of the House being out of what fund the proposed compensation was to be paid. It was in 1862 suggested by the then hon. Member for Youghal (Mr. Butt) that it should be paid out of the local rates; but that suggestion was received with general disfavour, in fact no one else supported it. The demand now made was that the compensation should come out of monies to be voted by Parliament; but with every disposition to relieve those officers, he could not see how a case could be made out for doing so out of the public funds. There was no recent precedent for the adoption of such a course, and he was sure that it would be resisted, not only by the present but by the late Secretary to the Treasury, on public grounds. It would therefore be simply deluding those officers to hold out to them false hopes by acceding to the Motion of his hon. Friend for inquiry. The more candid and straightforward course was to negative the proposal.

Mr. SYNAN said, the late officers of weights and measures in Ireland were paid by fines and fees, a portion of which were now paid in aid of the salaries of the clerks of petty sessions. The Imperial Treasury, consequently, had the benefit to that extent of the fines and fees, for it would be the duty of the State, if the fines and fees were not so appropriated, to make up to the clerks of sessions any deficiency in their salaries. The principal portion of the time of these gentlemen was occupied in such a way as to keep them from other occupations, and they had a fair ground for coming to that House to ask how the funds were applied which might have been rendered available for their assistance. He thought that a fair ground had been shown for the appointment of a Committee.

Mr. VANCE said, that the late inspectors of weights and measures in Ireland did not at the present moment ask for compensation, but only asked for inquiry. The noble Lord said that those officers were not appointed by the Crown, but by the grand juries. He had, however, known men in a good position, and having friends in that House, to obtain pensions, though they had received no appointment from the Crown—he alluded to the proctors in the different Courts of Probate, and he trusted that the claims of the inspectors of weights and measures would not be disregarded, because they happened to be humble men without influence. He knew one case in which the whole of the officer's time had been employed, and that in many they had been reduced to great straits.

General DUNNE said, he thought it would be better for the late inspectors to submit their case to the Treasury, and to the justice of the House, than to have a Select Committee appointed. They had made out their case.

Mr. PIM said, he did not see how justice could be done without the appointment of a Committee, whose business would be to ascertain whether compensation should be granted. The noble Lord had fully admitted the justice of the case, and the House ought to see that justice was done.

Mr. CHICHESTER FORTESCUE said, he thought that the noble Lord had taken the wisest, and even the kindest course, in declining to submit the case to a Select Committee. It was not to be expected that the result of inquiry by a Committee would induce the Government to pay the compensation asked for out of the public funds, for the fines and fees went to the relief of the local funds. He was sorry for the condition of the persons whose case was brought under consideration, but he should feel it his duty to vote against the appointment of a Committee.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 134; Noes 41: Majority 93.

DISTURBANCES IN IRELAND—REWARDS TO THE CONSTABULARY.—QUESTION.

Mr. MONSELL said, he rose to ask the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to confer any special rewards on those members of the Irish Constabulary who have distinguished themselves by meritorious services during the late disturbances, and to call his attention to the defenceless state of many of the Irish police barracks. He wished to avoid all reference not absolutely necessary to the occurrences that had lately taken place in Ireland, for, although he felt it was the duty of Parliament, with the least possible delay, to inquire into the causes of disaffection in Ireland, he thought it perfectly obvious that the time for this would not come till those sterner duties had been discharged which, unfortunately, followed every unsuccessful insurrection. He wished to call attention to the courage and self-reliance exhibited, he believed, in every place in Ireland, where the police force came into collision with the insurgents during the late unhappy attempt at rebellion. It would be invidious to make any arbitrary selection of cases; but he might fairly refer to two instances, both of which occurred in the county he had the honour to represent. There was a small village called Ardagh, lying at the foot of the hills which divided the county of Kerry from the county of Limerick. The police barracks there had no means of defence in case of attack by an armed force. On the night of the 5th instant one constable and four sub-constables were attacked by a body of fifty men, a number of whom penetrated into the barracks. Within the barracks, in addition to the constabulary, were the wife and two infant children of the constable. The police knew well if they would only consent to give up their arms not a hair of their heads would be touched, and the woman and children would be uninjured. But those brave men drove out those who had effected an entrance at the point of the bayonet, and of the assailants twenty-two were now in custody. In the police barracks at Kilmalloch, at the other end of the county, fourteen constables and sub-constables were attacked by 200 men, directed, he believed, by an officer who had served in the American Federal army. The attack lasted for three or four hours. Three women and eleven children were in the house; an attempt was made to burn it in order to effect an entrance; but still the police gallantly resisted till sub-inspector Miller arrived with ten men, who took the insurgents in flank, when the police in the barracks rushed out and completely defeated the assailants, of whom a considerable number were in custody. Although in those instances the numbers employed were not large, the results arrived at by the gallant conduct of the police were of the highest possible importance. Had the police yielded for an instant the insurrection would have spread throughout the country, and had to be put down by military force. Pecuniary rewards given for ordinary good conduct were not sufficient recompense in such a case. There was a precedent and he hoped it would be followed, whereby Her Majesty might be graciously pleased to bestow on these men the highest reward of bravery, the Victoria Cross. The second part of his question related to the bad construction of the police barracks in Ireland and their generally defenceless condition. There were 1,600 barracks in Ireland, of which only about thirty belonged to the Government. The remainder were rented at a charge of between £28,000 and £29,000 a year. They were nearly all utterly defenceless. They had large windows, and no means of protection for those inside, or of resistance in case of attack. In consequence of this state of things it had been found absolutely necessary in many places to call the men from the out-stations and to mass them at the larger stations—a proceeding which was most calculated to increase the panic which existed. It was absolutely necessary that Her Majesty's Government should take into consideration the defenceless state of the police barracks, which he had been informed could be put in a good state of defence for £150 each. Some difficulty might be raised with regard to the building of new barracks, in consequence of the Government having no power to take land for such a purpose ; but that difficulty might easily be got over by the landowners consenting that such a power should be placed in the hands of Government. He left the matter with perfect confidence in the hands of the noble Lord the Secretary for Ireland (Lord Naas), who had shown so admirable a determination to put down party feeling, and to rely upon the ordinary operation of the law during these trying times. The noble Lord had by his conduct won the gratitude of the people of Ireland.

MR. CHICHESTER FORTESCUE said, he cordially concurred in what had fallen from the right hon. Gentleman as to the gallant and patriotic conduct of the Irish constabulary during the late disturbances. His own experience of the demeanour of that body, and the high opinion entertained of the force by their able commander, Colonel Wood, had led him to believe that if, unfortunately, their services were required to quell disturbances such as had lately taken place, they would not be found wanting, and he was happy to find that that expectation had not been disappointed. He hoped such services would not be forgotten. It must be admitted on all hands that when small bodies of the Irish constabulary found themselves attacked in the darkness of the night by large masses of men, as was the case on the high road at Tallaght, they had acted most gallantly. It was impossible for the police to know at the time the amount of the force which they had to deal with, or how formidable might be the nature of the insurrection that was moving and gathering around them on that night. It was impossible to overrate the gallant conduct of the men under these circumstances. The Irish constabulary were drawn from the Irish people, to whom they were attached by every tie of fellowship and of religion, and therefore they deserved the greater admiration for having set their misguided fellow-countrymen so noble an example of loyalty and patriotism. Turning to the question of the improvement of the police barracks of Ireland, he scarcely thought that so large a sum as £150 per barrack would be required to put them into a sufficient state of defence. It would be more than the late enemy or any they were likely to encounter was worth. In most cases by merely opening a window or a loophole or two in the rear of the barracks they would be rendered perfectly capable of being vigorously defended. He wished to ask the noble Lord (Lord Naas) whether the Bill to improve the position and pay of the Irish constabulary, which had been prepared last year by the late Government, in accordance with a Report of a Commission appointed to inquire into this subject, and which had been carried through Parliament by the present Government, had worked successfully ; and whether it had answered the expectations which had been formed of it by stimulating recruiting and keeping up the force to its proper numbers. He entirely concurred in the opinion which the right hon. Gentleman had expressed with regard to the firmness, the impartiality, and the moderation which the noble Lord had shown in putting down the late disturbances.

MR. HERBERT said, he could not forbear calling attention to one case which in his opinion was deserving of special attention, as it was the first of the kind that occurred. He came from that part of the country where these unfortunate occurrences first broke out, and it would be in the recollection of the House that the policeman (Duggan) going to Killington with despatches was met in the dark by about seventy or eighty armed men, who called upon him to surrender. He refused to do so, rode on, and would have got clear off with his despatches if he had not been shot in the back by a cowardly assassin. No compensation in money could reward that man, and if the Victoria Cross were not confined to the army he could conceive no more fitting reward for these men, as it would stimulate their bravery, though at the same time he did not think men could exert themselves more than these men had done. With regard to the question of the barracks, he thought a very little alteration in most cases would render them impregnable against attack by a mob. A door opened in a wall, a few loop-holes inserted, or even the raising of a window sill, would be all that was needed to put many of these places in a state of defence. But his main reason in rising was to express his hope that the Government would reward these men, not with money, but with something that they could wear on their breasts.

Mr. BAGWELL said, he believed that an attempt at insurrection had been rendered abortive by the determination of the police, and that their conduct rebuked the mistrust too generally entertained respecting them. Irishmen would perform their trust to the letter; and in 1848 an almost purely Irish regiment, which had been wrongfully mistrusted, did its duty in acting against relatives and friends. Irish gentlemen were wont to say if any question of religion or politics disturbed the country the constabulary could not be trusted. The force ought to be treated as a civil force, and not a military one. Therefore, he objected to the proposal that the country should be studded with little forts called police barracks. He would suggest that an order of merit should be established for the constabulary forces. While favouring the punishment of the principal Fenian leaders from America, he would suggest leniency towards their humble Irish followers, who repented that they had allowed themselves to be misled.

General DUNNE said, he did not know what his hon. Friend meant by a civil force. If being armed to the teeth made a force military, then he thought that character applied to the Irish police. He quite agreed that the honour and fidelity of these men deserved a reward, and he thought it ought to be given in the shape of an order of merit and a pension. As to the repentance of the people he was rather sceptical on that matter, but he was certain that the country people took no part in the insurrection. The insurgents were composed of the people of the towns, not of the sons of farmers, and he believed the majority of them were tailors. Fenianism under another name existed in this country as well as in Ireland. As to the barracks, many of them were merely thatched and untenable; but if the Government would give a proper rent there would be no difficulty in obtaining proper barracks, which would be erected by the landowners. While he gave all praise to the police for the defence they made, he could not forget that the feebleness of the attack showed that the hearts of the assailants were not in the work. In other circumstances they would have shown no lack of bravery. But they had been duped by American filibusters.

Lord NAAS said, he was sure that there was no subject that could be brought under the consideration of the House that was more worthy of their consideration, or which would more fully command the sympathies of the House; and he was sure that not the House only, but the country—his own country in particular—were deeply indebted to his right hon. Friend for the eloquent tribute he had paid to the merits of the police force, to which not Ireland only, but the whole country was so much indebted. On the nights of the 5th and 6th of March these men were attacked in no fewer than thirteen different places by bodies of men of unknown numbers in the dead of the night, and without any time for preparation; for though, in some instances, scanty information had been given that an attack was meditated, yet that information had been so often received, and had so often proved false, that in most cases the men paid little attention to it. The attacks were all characterized by more or less of violence, but in every case they were repulsed by a force so inferior in numbers as to be almost incredible. Such success as the police obtained on that night, could only have been attained by the thorough reliance the men had on each other, and by the firm conviction they entertained, that they were doing their duty—the highest of all duties that could be imposed upon them, whether as men or as citizens — the duty of resisting the assaults of men who were in arms against their Sovereign. He begged the House to remember that this force consisted of about

11,000 men, scattered over the country at 1,600 stations, and that these stations were occupied by parties varying from five to twelve or thirteen men. The average number of men in each barrack was only seven. The House would see, therefore, what discipline, good conduct, and courage must exist in a force so detached and so removed from the control ordinarily considered by military men necessary for the maintenance of discipline. Since this unfortunate Fenian movement had afflicted the country, no efforts had been spared by the emissaries of the conspiracy to seduce the constabulary from their allegiance. The same attempts which had been made, though seldom successfully, on the army, had also been made on the constabulary ; but he was proud to say that in hardly a single instance did any stain rest on the character of a member of the force. Every attempt to seduce them from their allegiance had been attended with signal failure, and indeed he might say that in that respect the force was at the present moment absolutely and entirely without taint. We must remember to what temptations these men are exposed. They were constantly mixing with the people, and at the same time were necessarily much withdrawn from the care and supervision of their officers. They had, however, not only evinced a determination to resist every attempt to draw them from their allegiance, but, as witnesses, policemen and soldiers had invariably shown their willingness to discharge their duty loyally and honestly in whatever position they had been placed. It must also be borne in mind that this force was entirely recruited from the Irish people. Its ranks, it was true, were filled from a class somewhat superior to that which joined the regular army, as there was a certain qualification required, that no one was admitted into the force who could not read and write. The religion of the men was as nearly as possible in the same proportion as existed between the two creeds in the country. Nearly two-thirds of them were Roman Catholics, the remaining third being Protestants. Therefore, both in their distinctions of religion and in their character, they fairly represented the great mass of the people from whom they were drawn. He entirely agreed with his right hon. Friend as to the impossibility of overrating the services rendered by the constabulary during the recent outbreak, and particularly on the night of the 5th. Every attack on a police-barrack and every attempt at armed insurrection had resulted in utter failure. It should be remembered that at the time these attacks were repelled the constabulary were ignorant as to the actual state of feeling in the country. They had been repeatedly told that a general rising was intended, and in almost every instance, when summoned to surrender and give up their arms and barracks, they were informed that the whole country was in arms, that the Irish Republic had been established, and that resistance would be useless. In the middle of the night the constables had no means of testing the accuracy of such statements or of ascertaining the number of their assailants, but there was no flinching. Every man did his duty, and defended to his utmost his post and his arms. Taking all these things into account, it was difficult to over-estimate the credit due to them for their courage, fidelity, and constancy. If the conspirators had succeeded even temporarily in one of their attempts, and had established themselves in a barrack or any place of strength, so as to form the nucleus of a disaffected force, it was impossible to say what disastrous consequences might have ensued. Therefore, it seemed to him that the country owed a lasting debt of gratitude to these men, who had defeated the conspirators whenever they had been brought in contact with them, and who had proved to the country and to the world how utterly futile and contemptible was this attempt of treason. With regard to the particular question put by his right hon. Friend, he begged to say that last week, with the concurrence of the Lord Lieutenant, he had addressed a letter to the Treasury on the subject, and a copy of that letter would at some subsequent period be laid upon the table. Before sending that letter he had communicated with the chief officers of the force as to the mode in which some token of approbation might be bestowed on those members of the force who had distinguished themselves. He was happy to say that Her Majesty's Government had assented to one of the two proposals which had been made. The second proposal was still under consideration. It was proposed that a small sum of money should be voted by the House as a special reward for those who took part in the late proceedings. It was intended not to submit that Vote in the ordinary way, among the civil contingencies, but to invite the House to pass a special Vote of £2,000, to be placed at the disposal of the Inspector General of Constabulary for the purpose of conferring special rewards on these men. A distinct Vote, brought forward as a Supplementary Estimate, would be most gratifying to the members of the force, who would value the reward much more than if it had been conferred in any other manner. The vote which the House would be invited to come to would be tantamount to a vote of thanks, as hon. Members would have an opportunity on that occasion of expressing their sense of the conduct of these men. With regard to honorary rewards, he ought to mention that it was customary in the force itself to give honorary marks, which were much prized by the men, and the Inspector General had informed him that these would be given, with a slight increase of pay, to all the men who, either individually or collectively, had particularly distinguished themselves during the late events. The question of barracks was one which required grave consideration. It ought to be considered whether it was more desirable to place every barrack in Ireland in a state of defence, or to select individual barracks, which might be made centres for four or five others, so that the men might retire from the outposts to the centre barrack in case of emergency. For his own part, he was in favour of making all the barracks, to a certain extent, defensible, as concentration, except under extreme circumstances, is objectionable, and it was most important that the men should remain in their stations as long as they could do so without danger to their lives. There would not be any great difficulty in carrying this out. Several plans had already been submitted to the Government; and Parliament, he felt assured, would not be unwilling to place at the disposal of the Government such a sum as would be necessary to place most of the stations in a reasonable state of defence. With regard to thatched police barracks, he did not think there were any left in the country, and he knew that all new barracks were built upon a certain plan. If, however, there were such a thing as a thatched barrack in Ireland, it ought to be done away with at once. There was also a question as to the arms of the men, and he was afraid this would involve considerable expense. The present arm of the constabulary was not at all fitted for the duty they were called upon to perform. The rifle was too long and too heavy, while the bayonet attached to it was a weapon which could hardly ever be used by a policeman. It had been suggested by the Inspector General that a short breech-loading rifle should be supplied to the men, which would not impede the rapidity of their movements, and he thought that would be a more efficient weapon than the long rifle now used. [Mr. CHICHESTER FORTESCUE said, that this was recommended by the Commission.] It had been so recommended, and he believed a particular weapon had been selected by the Inspector General. He hoped soon to be able to submit the matter to the Treasury. Before he sat down he wished to say a word with reference to a body which had not yet been mentioned—namely, the Dublin metropolitan police force. They had not had the same opportunity as the country constabulary of distinguishing themselves; but, from his knowledge of the way in which they had discharged their arduous and responsible duties, he felt confident that they would have exhibited the same zeal and the same courage had they been placed in the same circumstances. Since the commencement of this Fenian movement they had been repeatedly engaged in service of considerable danger, and they had always evinced qualities of the highest order, and several had lost their lives. He could not sit down without expressing his acknowledgment to the right hon. Gentlemen opposite for the testimony they had borne to the conduct of the Government during the past fortnight. He and his Colleagues had been anxious from the beginning of these unfortunate proceedings to show that the ordinary existing powers of the law were sufficient to enable them to cope with any active form of insurrectionary movement, and he believed that when excitement had subsided, it would be acknowledged that they had done right in resisting any pressure that might have been placed upon them, and in refusing to apply to Parliament for increased powers. Those who had advised, or who had thought of recommending such a course, had, he believed, formed a totally erroneous impression of the real state of feeling in Ireland. They (the Government) had determined to place their reliance on the loyalty, good feeling, and attachment of the majority of the people, and the result had shown that the course which they had adopted was the right one, for from all classes in the country they had received assurances of assistance and support. He believed it would be found that

British law administered with firmness, impartiality and justice, would be quite sufficient for the punishment of all men who had incurred its penalties and for the restoration of confidence to the country. The spectacle that would have been afforded to the world by an application to Parliament for measures beyond those of the ordinary law, would have been most unfortunate, and would have given other nations an entirely erroneous impression as to the real state of feeling in Ireland. The Government wished to rely on the loyalty and attachment to the Constitution which prevailed among all classes and creeds in Ireland, and the result had shown that they were not mistaken in reposing confidence in the great mass of the people. The assurances they had received from every part of Ireland, and from all classes of persons, was sufficient to show that this conspiracy had taken root in the land only among the lowest ranks, and that all men of respectable character, of patriotism, and intelligence, had entirely refused to have anything to do with it. With regard to the measure which, although originating with the late Government, he had been instrumental in passing through Parliament at the end of last Session, its working had been most satisfactory. Not only had recruiting for the police during the past two months been found easier than before, but the men enlisting belonged to a better class than were usually attracted to the service. The House, therefore, might feel assured that the increased expenditure which it had sanctioned last Session for the improvement of the lower branch of the police force had been found in working to be attended by good results.

IRELAND—FISHERMEN ON THE LOWER SHANNON.—QUESTION.

MR. BLAKE said, he rose for the purpose of asking the Chief Secretary to the Lord Lieutenant, Whether a Memorial has been received by the Irish Government from Fishermen on the Lower Shannon, complaining

> "Of an outrage committed on them by the destruction of their nets by the Knight of Glin, or by parties acting under his authority, and with his approbation ;"

and, if so, whether the Government have directed any and what steps to be taken to investigate the complaint made, as well as to maintain to the public their common law right of fishing in the tidal waters of the Shannon, and to draw up and spread their nets and land their fish on any beach, strand, or waste adjoining the shore, as authorized by the third section of the Act to regulate the Irish Fisheries, 5 & 6 *Vict.* c. 106. It appeared that the Knight of Glin had a weir on the Lower Shannon called the Long Rock Weir, which had been ordered to be abated by the Fishery Commissioners; but on an appeal to the Court of Queen's Bench this order was set aside, and the Knight of Glin proceeded to re-erect the weir. In order to prevent the drift and draft net fishermen casting their nets so near as to interfere with the weir he caused stones and other obstructions to be thrown into the river near it, in consequence of which the fishermen had to keep at a distance, which was very disadvantageous, to prevent injury being done to their boats and nets. The fishermen summoned the Knight of Glin, as they considered there was an obstruction of their common law right to fish ; but after the case had been heard the magistrates declared that their jurisdiction was ousted, as the question of title had been raised, and thus the proceedings closed for the time. Soon after the decision of the magistrates the fishermen sent a memorial to the Lord Lieutenant, praying that steps should be taken to protect them, by directing the Board of Works, as conservators of the Shannon, to see to the matter of their right. To this memorial no reply had been received. Six days afterwards the fishermen heard that the Knight of Glin had ordered his tenants to attend with horses and cars to place further obstructions, and they thereon sent another memorial to the Lord Lieutenant praying for protection. The next day the fishermen, at about nine o'clock, were drying their nets on the strand when upwards of 100 of the Knight's tenants, with some fifty or sixty horses and cars, came on the strand laden with stones, walked over the nets, tearing them in pieces ; some of the horses were thrown down by the nets, and several assaults were committed on the fishermen in the presence of Mr. Hartnell, J .P., who read the riot Act in order to quell the disturbance. Summonses and counter-summonses were issued for assault and malicious injury, and by consent of the legal advisers of both parties, when the case came before the magistrates, the whole question was referred to the quarter sessions at Rathkeale, which commence on the 29th instant. Probably the Solicitor General would say in reply that, as the case was about to be tried, the Government could not now interfere. But he begged to tell the hon. Gentleman that the Government ought to have interfered long before; even supposing that the Knight of Glin had a right to prevent the fishermen from using the shore he had no right to assault them, and thus assert his claim in an illegal manner. He had not the slightest doubt but that the public had, under the 5 & 6 *Vict.*, a perfect right to use the shore for their fishing purposes. When the destruction of the nets took place the Government ought at once to have taken steps to satisfy themselves of the justice of the application, and if they were so satisfied they ought to have protected the fishermen and enforced the laws, instead of the fishermen being obliged, at great expense and at a great sacrifice, to assert their rights in a court of justice. The authorities in Dublin appeared not to have taken the slightest notice of the memorial. The Knight of Glin was a man of ancient and honourable lineage, and was held in high esteem and consideration in Ireland. He was possessed, as he (Mr. Blake) believed, of an ample fortune; but it would be both just and politic to make a man of his position feel, and to show the public also, that even in the assertion of his supposed rights he could not be suffered to do an illegal and arbitrary act. He hoped, in conclusion, that the Solicitor General would give an assurance that the matter would receive the attention of the Government.

THE SOLICITOR GENERAL FOR IRELAND (Mr. CHATTERTON) said, the memorials referred to by the hon. Member for Waterford had been received by the Irish Government, who had inquired into the circumstances, and had received replies to the memorials contradicting to a great extent the statements they contained. The conclusion that had been arrived at by the Government was that the question was purely one of private right of property, and not one of public right, as between the parties. It was stated that there was as much force used on the one side as had been used on the other. The Knight of Glin alleged that the complaining parties had themselves committed an outrage. Summonses and cross-summonses had been issued for the purpose of trying the question. A civil action also had been commenced, for the purpose of trying this question of private right. Under these circumstances, it was plain that this was not a matter in which the Executive Government of the country could with any propriety interfere.

PENSION TO MR. YOUNG, AGRICULTURAL AND HISTORICAL POET.

OBSERVATIONS.

MR. O'REILLY said, he rose to call attention to the circumstances under which a pension was granted to Mr. Robert Young, agricultural and historical poet. The question involved in this matter was not an Irish grievance, but one which equally concerned all parts of the country. This was not a solitary instance of an abuse of the Royal fund out of which pensions were accorded to literary and scientific men. He regretted to say that the fund had been too often abused and made the means, if not of rewarding incompetence, at any rate of bestowing eleemosynary aid on persons of mediocre ability, who had no other claim to that aid than their poverty, or perhaps their incompetence. There was, however, something worse than this, and that was when the recipient had no claim to literary merit or services rendered to his country; but if he had a claim at all it was one that ought not to be recognised—namely, party services, rendered, not to his country, but against his country. One distinguished instance of the abuse of the fund was that of the poet Close; but in that case the late Leader of that House (Viscount Palmerston), who was entrapped into granting the pension, had confessed his mistake, and retracted what he had done, though he compensated from his own purse the object of the misplaced public benefaction. The case to which he (Mr. O'Reilly) now wished to draw attention was also that of a poet—at least, of a man who wrote rhymes. It might be said that it was difficult to judge of poetic merit; but it would surely be expected that the noble Lord who had so ably translated *Homer* (the Earl of Derby) would at least have been able to decide upon the merits of poetical compositions, and that a pension would not have been granted by him to a wretched rhymester. Homer sometimes nodded; but in this case the noble translator not only dozed, but slept his sleep outright. He freely acquitted the noble Lord of anything but ignorance, and that was a serious fault to find. He believed that the noble Lord must have been ignorant of the circumstances under which the pension was granted; that he knew nothing of the true history of the poet, and never asked to look at his works. It was exceedingly difficult to get a copy of the poetical works of Mr. Young; and although the noble Lord the Member for Londonderry (Lord Claud Hamilton) and the Earl of Enniskillen had subscribed liberally for copies of the book, it was stated that no sooner was the pension granted than every single copy that could be got hold of was consigned to the flames. He (Mr. O'Reilly) knew a gentleman who had applied to every bookseller in the country to get a copy and found it impossible. He had procured two copies, one of them the real original edition, and certainly a valuable work it was. For a moment let him trace the history of this person before he received his pension. In early life he was a nailer. Nine-tenths of his poems commemorated different Orange festivals. They were addressed to the Orange body. The hon. Member for Peterborough had been frequently requested to favour the House with a poetical recitation, and he had apologized by saying that he was not able to comply with the request. Now this work exactly expressed his sentiments. These poems were exactly what he would write if he was a poet. He would make a present of one of the copies of the work to the hon. Member for Peterborough on the condition that he would favour the House with extracts from it in the course of his different speeches. If the hon. Member would not accept a copy on that condition, he Mr. O'Reilly) would deposit it in the Library of the House for the improvement of hon. Members. For many years Mr. Young wrote songs for the Orangemen of the North of Ireland, and the time came when he looked for a reward of his literary and Orange loyalism in a pecuniary sense, but the Conservatives not being in office, his hope was long deferred. Either because the occupation was unprofitable or for other reasons, he had for many years ceased to write Orange songs. It was said that Mr. Robert Young had become an agricultural poet; but he (Mr. O'Reilly) could find very little about agriculture in this book. Probably the Secretary of the Treasury might favour them with the proofs that Mr. Robert Young had devoted himself to agricultural subjects. He would not disgust the House with the greater part of what the book contained. This writer contrasted himself throughout with the late Thomas Moore. He remarks that the late Thomas Moore wrote poetry of which he entirely disapproved—as not being loyal in the Fermanagh sense of the word—and he attached to the airs of some of Moore's songs words more suited to the tastes of the Orangemen. To the air of "The Exile of Erin" he attaches the following words:—

"In Munster assassins in league are invited,
The laws to resist and confusion create,
By priests of sedition to outrage excited,
To bring back the horrors of dark Ninety-eight."

He was aware that there was one hon. Gentleman in the House who would applaud the sentiment, but he did not think that the House would view it in the same way. To show that this was a man who had constantly libelled the great mass of his Roman Catholic fellow-countrymen, he (Mr. O'Reilly) begged to read the following words attached to Moore's air, "Oh, Erin, my country":—

"Thus maddened by Jesuit's poisonous chalice,
The Popesmen no longer contented remain;
But bigotry, fierce persecution, and malice
Inflame their dark bosoms and over them reign."

"The Scripture that tells of eternal salvation,
And man, erring man, in religion renews,
The prelates of Rome to their flocks ruination,
Withhold or pervert them to suit their own views."

He (Mr. O'Reilly) need not say that there was throughout the book the most ribald abuse of the late Mr. O'Connell. There was a man of whom all Ireland was proud —a Roman Catholic bishop—a man celebrated as a writer—the friend of the late Duke of Wellington—"J. K. L.," the late Dr. Doyle, Bishop of Kildare. Here was the way in which he was mentioned by Mr. Robert Young—

"Hail, Erin! most delightful land
For strife and superstition,
Where Lucifer to govern seems,
And to excite sedition.

"Of vows and murders almost sick,
Old Satan, discontented,
Of late a most surprising trick
For change of scene invented.

"Sure, none but he or J. K. L.,
Who does our isle enlighten,
Would propagate so strange a spell,
The cholera to frighten."

He could give a few more extracts if it would not weary the House. ["Hear!"] The title of the next extract—"Croppies lie down,"—required some explanation. By the word "croppies" the poet meant Roman Catholics.

"We'll fight for our country, our Queen, and Her crown,
And make all the traitors and Croppies lie down,
Down, down, Croppies lie down.
Our country's applauses our triumph will crown,
While low, with the French, brother Croppies lie down,
Down, down, Croppies lie down."

Perhaps the Secretary for Ireland would wish to have these poems re-published, to improve the spirit of loyalty throughout Ireland. Amongst the most unfortunate reminiscences of the North of Ireland were the memories of the contests between Roman Catholics and Orangemen. The following was a poem which Mr. Robert Young wrote on what he called the battle of Castle Wellan :—

"It was in the year of thirty, on July the first old style,
The Castle Wellan Orangemen and Clarkhill rank and file,
To Clough with flags and music sweet, marched off in grand array,
Where fifteen banners were displayed in honour of the day.
So let cringing politicians vile and Whig and Papist join,
Still annually we'll celebrate the conquest of the Boyne.

" Thus may we still triumphant be and keep rebellion down,
Maintain our *just ascendancy* and guard the British Crown."

The following was another beautiful extract :—

"Oh! could I Homer like, indite
Sublime heroic lays,
My faculties should all unite
In singing Graham's praise;
Who, undismayed by threatening foes
Has faithfully revealed
The worth, the woes, and deeds of those
Which time from us concealed.

" His pages true bring to our view
The actions of the brave,
Who fought of old like lions bold
Our liberty to save.

" Weak Statesmen may to Rome give way,
Expediency their guide,
Lest civil war should Erin mar
And spread through Britain wide,
Each passing year some through fear,
Give up to bigots base
Who Church and Crown would trample down
And cover with disgrace.

" Not so our sires, whose glory fires
The breast of Graham brave
Behaved of old, but Rome controll'd
And fought our rights to save."

From a Conservative Government able to appreciate literary fame — with a noble poet at its head capable of rewarding loyalty like that of the Fermanagh true-blue—Mr. Robert Young received the pension which in his own opinion he had long deserved. In his preface he states—

Mr. O'Reilly

"If a Moore, the author of seditious and licentious songs, has been considered deserving of a pension by our present Whig-Radical Administration, the humble man who exerts his talents in writing loyal and constitutional pieces, must surely have some claim on the patronage of those whose cause he advocates, although he cannot make pretensions to the expansive and highly cultivated genius of the celebrated Irish bard. Should he be assailed by critics of the Romish or Radical school, who scruple not in the present day at attempting to blacken by calumny—every man, no matter how eminent for virtue, who has the manliness to speak or write on behalf of the Protestant religion, he tells them beforehand that he despises their malignity, and can afford to treat their lucubrations with silent contempt."

He regretted that the noble Lord the Member for Londonderry was in Ireland, but a relative of his was in the House, and he (Mr. O'Reilly) had nothing to say but matter of fact. The reason assigned for the giving the pension was that Mr. Robert Young wrote four volumes of poems and songs of considerable merit, was connected with a newspaper, and sixty-seven years of age, old and infirm. To that he (Mr. O'Reilly) had nothing to say. He believed the man was old, infirm, and poor. If poverty were a claim upon the literary and scientific fund, he (Mr. O'Reilly) had not a word to say against the pension. But if Parliament voted the money to reward literary merit, he then would say that Mr. Robert Young had no claim to it. Attached to the memorial for the pension were the names of the Roman Catholic Bishop of Derry and of several Roman Catholic clergymen; but that did not justify the noble Lord the Member for Londonderry in not inquiring into the literary merits of Mr. Robert Young. For years this man had libelled the Roman Catholics, and had been noted as their enemy. It was said to the Roman Catholic Bishop and clergy "this poor, wretched, and old man will get a pension if you will not stand in his way, and will charitably put your name to the memorial." They did so, and he honoured their motive however mistaken they were in doing so. But that was no vindication of those having to administer the bounty of the nation on literary and scientific grounds. He had also been informed, on authority which he could not dispute, although he could not assert it from positive knowledge, that the noble Lord the Member for Londonderry recommended Mr. Young for a pension, stating as of his own knowledge that his songs were as free from any taint of Orangeism as of Ribbonism, and were as acceptable to Roman Catholics as to Protestants. If such were not the fact he hoped it would be denied on behalf of the noble Lord, who was now in Ireland, but who had received notice that the statement would be made. He (Mr. O'Reilly) might be asked, was it generous or right to make war against an old man of sixty-seven, who was poor, feeble, and infirm, for a wretched sum of £40? But he did not make war upon him. He protested as a matter of principle against a fund which should be devoted to the reward of literary and scientific attainments being applied to reward mediocrity, because it happened to be feeble and impoverished. If the pension were withdrawn, as it ought to be, and a subscription to aid Mr. Young entered into by his friends and patrons, he (Mr. O'Reilly) would be happy to subscribe. The granting of the pension he considered an abuse of the fund.

MR. HUNT said, his acquaintance with the works of Mr. Robert Young had only commenced that evening, and he thought it would probably end there. The hon. Gentleman seemed to think that these pensions ought to be confined to persons of eminence in literature or science, and ought not to be granted to persons in Mr. Young's rank of life.

MR. O'REILLY: I said literary eminence, not grade of life. Robert Burns was in a humble position, but he was a man of genius.

MR. HUNT said, the hon. Gentleman had several times referred to Robert Young having commenced life as a "nailer," and seemed to think that he was thereby fastening an opprobrious epithet on him. He had supposed, therefore, his complaint was that a person of such humble origin had been selected for a pension. Now, it had for many years been the practice of Prime Ministers not only to give pensions of larger extent to persons of eminent literary and scientific attainments, but pensions of similar amount as that given to Mr. Young to persons of humble origin, who had so far educated themselves as to publish poems acceptable to their readers; and it seemed to him very desirable to encourage men who, without having had educational advantages, had devoted themselves to literary pursuits, even though their works were not such as to deserve world-wide fame. It was plain from the way in which the extracts that had been read had been received, that Mr. Young's poems were not appreciated by that House. Tastes, however, differed. The hon. Member had said it was difficult to obtain a copy of his books, the natural inference from which would be that they were valuable works, and were greedily bought up. The hon. Gentleman, however, said they had been burnt; but he did not say whether he stated this of his own knowledge. He held in his hand a volume, of which no less than twelve pages of small print were occupied with subscribers' names. ["Read!"] If he read them, the House would probably be none the wiser, for they were mostly those of persons unknown to him; but so long a list showed that many persons in Ireland were anxious to encourage Mr. Young in his poetical efforts. The memorial upon which Lord Derby granted the pension was signed by clergymen of various denominations, magistrates, members of corporations and others. It described him as the Irish historical and agricultural poet, and stated that he had published four volumes of different degrees of merit, which had been well received and widely circulated. It also stated that his writings were strictly moral, and that their tendency was to inculcate loyalty to the Throne, and to promote feelings of mutual goodwill among the people. It then went on to say that if the noble Lord made some provision for Mr. Young, it would afford great gratification not only to the people of Derry, but to the whole of Ulster. That was the memorial on which Lord Derby acted. It was quite clear the Prime Minister had not time to peruse the volumes of every poet whose claims were brought before him for a pension, but that he must necessarily be guided by the representations of others. He had pointed out that Mr. Young's poems were largely subscribed for, and from the number of signatures to the memorial it was quite clear that his poems created considerable interest in his neighbourhood. The hon. Gentleman assumed that Mr. Young's claim rested on political grounds, and that the adherents of Lord Derby were the only persons anxious to give him a pension. The hon. Gentleman spoke of Mr. Young as having passed his life in abusing persons of the Roman Catholic faith. If so, all he should say was that they must be of the most forgiving nature, because at the head of the list of signatures was the Roman Catholic Bishop of Derry. The Protestant Bishop of Derry likewise signed the me-

memorial, together with three Roman Catholic priests, two Presbyterian ministers, one Congregational Minister, and one Dissenting minister. So that persons of all sects and denominations came forward to bear testimony to the merits of Mr. Young. The memorial was also signed by twelve justices of the peace. As a Prime Minister was obliged to be dependent upon the representations of others in such matters, and as out of all question Lord Derby had never read a line of Mr. Young's poems, what more complete testimony in favour of a man of that humble rank could he have than when such a body of persons, including ministers of all denominations and twelve justices of the peace, came forward and bore testimony to his merits? Under these circumstances, he asserted that Lord Derby was justified in granting a pension to Mr. Young, supposing that pensions of that kind were to be granted at all to persons of that class of life. It was suggested that his noble Friend the Member for Londonderry (Lord Claud Hamilton) had got up this testimonial as a sort of political weapon to strengthen his influence at elections; but he held in his hand letters from persons who could not be considered as political adherents of Lord Derby. Here was a letter addressed to the noble Lord the Member for Londonderry—

> "I think that Mr. Young is well deserving of a small pension. I have always understood him to be a very respectable person, and that he has educated himself in a manner highly creditable to him."

This letter was signed "Dufferin." That noble Lord was a distinguished member of the late Government, and he had never heard that he was known for his Orange tendencies. On the principle of *laudari a laudato viro* he would next quote a letter signed by Lord Cremorne, now Earl Dartrey, a man whom Earl Russell delighted to honour:—

> "Dear Claud Hamilton,—I shall be very glad if Mr. Young's well-known poetical abilities are rewarded by placing him on the Pension List, and I authorize you to attach my name to any memorial that may be presented on this subject to Earl Russell."

He read these letters to show that there was no foundation for saying that this was a mere Orange memorial, or that it was got up for electioneering purposes in Londonderry. Although the House might not appreciate Mr. Young's poems—and he confessed for himself that he would much rather read Lord Derby's translation of *Homer*—yet he trusted that he had satisfied the House that Lord Derby had not in this matter acted in a hasty or hurried manner, because he had been fully supported by the representations made on behalf of Mr. Young. After the testimonials which had been addressed to the noble Earl it was clear that he was justified in granting that pension, if such allowances were ever to be made to poets in the humbler ranks of life.

MR. COGAN said, he considered that every one who had listened to the speech of his hon. Friend who had brought the subject forward must be convinced that Lord Derby had been shamefully imposed on in this matter, and that if his Lordship had exercised a little more care and caution the grant to Mr. Young would never have been made. The Government had carelessly prostituted—not to use too strong a word—a portion of the fund set apart to reward literature and art to the vilest purposes. The reply of the hon. Gentleman the Secretary to the Treasury was most unsatisfactory, and though it had called forth the mirth of the House, the subject-matter was really too serious to be turned into a joke. It was a sad and lamentable reflection that the bounty of the Crown should be conferred on a man who had turned the little talents—and they were small enough—which he possessed to inflame and embitter the animosities which raged so fiercely in the North of Ireland. He held in his hand the volume containing the "poems" of the person thus marked out for the distinguishing favour of a pension, and they were so full of ribaldry, if not, indeed, of blasphemy, that he really did not dare to read them to the House. He would hand the book to the Chancellor of the Exchequer if he liked. [*The Chancellor of the Exchequer dissented.*] Well, if the right hon. Gentleman—whose fine literary taste the House was well acquainted with, and was justly proud of—would devote a short time to the perusal of the volume, he (Mr. Cogan) was convinced that before twenty-four hours had passed away the pension would be revoked. His hon. Friend, when he brought forward the subject, had not concluded with a Motion; because he never for a moment supposed that, after the light which he was prepared to throw on the appointment, the Government would try to vindicate or maintain it. He still hoped that, before the debate closed, the Chancellor of the Exchequer would rise in his place and announce that the Government would reconsider the matter; but if this was not done, he begged to inform the House that his hon. Friend would feel it to be his duty, on another occasion, to bring forward a distinct Motion for the discontinuance of the pension; and he believed that such a Motion would be carried by an overwhelmingly large majority.

SIR WILLIAM STIRLING-MAXWELL said, he would entreat the Chancellor of the Exchequer to remember the course pursued in a case similar to the present one by Lord Palmerston when Prime Minister. That noble Lord, when it was made plain to him that he had been led to confer a literary pension of that kind on a person who was unworthy of it, announced, after some consideration, that the pension would be withdrawn. That was a proceeding which commended itself to both sides of the House, and he thought it was an example which he might most respectfully beg to submit to the notice of the right hon. Gentleman and to Lord Derby. In the remarks which it was the duty of the Secretary of the Treasury to offer to the House that evening they all knew that he had a very difficult task to perform. A pension had been granted, and it was that right hon. Gentleman's duty to rise at that table and defend it. ["No!"] Well, the Secretary to the Treasury was there, and it was his business to make a speech on the occasion. He could not, however, congratulate either that hon. Gentleman, or the unfortunate recipient of that pension, on the success of that speech. Every word which the hon. Gentleman had said proved either that that particular pension ought not to have been conferred, or, perhaps, that pensions of that kind ought not to be granted at all. The sum at Her Majesty's disposal for the reward of persons who distinguished themselves in literature, in art, or in the public service was, they knew, very limited; but it was a sum which had been the means of promoting the comfort, and in some degree rewarding the talents and services, of many eminent persons. And he did say that the House which voted that sum had a right to see that those rewards, small as they were, and must be when bestowed upon persons of real merit, were not made ridiculous and contemptible by being conferred upon individuals like the poet whose works had now been brought before them. A memorial to the Government, as he understood, had been signed by many persons of distinction and position in the part of Ireland where that gentleman resided, and letters were written by them to their friends in the Cabinet. They got their friends to do the same; and yet not one of those noble Lords or hon. Gentlemen had thought it right to come there and help the Secretary of the Treasury to defend what had been done. The question involved in the granting of those literary pensions was a very large one, and he should not enter into it on that occasion. He must, however, call the attention of the House to the example—if, indeed, example were wanting—which was furnished by the present discussion of the utter worthlessness of all memorials. Hon. Members knew that any person was ready to sign any paper which might be laid before him on any subject, provided he saw a certain number of names already attached to it. From what had that evening occurred they might learn that they could not depend even on private letters, for he could not pay his noble Friends whose letters had been read the poor compliment of saying that they were acquainted with Mr. Young's works. If they had been acquainted with them they would scarcely have desired to have been presented to the House as having displayed so remarkable a taste in literary criticism. He hoped that what had just passed would convince the Government that the granting of the pension to Mr. Young was a matter which ought to be re-considered. It was suggested that it had been granted out of charity to a person who was poor and old, and in bad health; but he could not see how the House, although it might decide that he should be deprived of that pension, would be committing in the administration of the public funds the slightest injustice by handing him over to the charity of his acquaintances and friends, among whom it appeared he was respected, and who, he must say, owed him, he thought, considerable reparation for having been the means of dragging him and his works as they had been dragged before the House.

SIR HERVEY BRUCE said, he considered that the hon. Gentleman opposite was hardly justified, considering the number and weight of the names attached to the recommendation to Lord Derby in favour of Mr. Young, in imputing to those gentlemen an attempt to impose upon the noble Earl. No such attempt had been made, and no grounds whatever for such an imputation existed. The hon. Baronet the Member for Perthshire had criticised the absence from the House of all the Gentlemen who had signed the recommendation. Now he (Sir Hervey Bruce) was one of those whose signatures were attached. He was prepared to justify the recommendation; and, though he was not in his seat when the debate commenced, it was because he did not expect that it would have come on so early. The absence of other gentlemen who had joined in the recommendation, and especially of the noble Lord (Lord Claud Hamilton), was explained by the assizes that were now being held and by other business; and, if the hon. Gentleman opposite had desired to have all information on the subject, it would have been better if he had put off the Motion for a week.

Mr. O'REILLY said, that he had written to the noble Lord in question, and had had no reply; but he had been informed that his noble Relative in the House would represent the noble Lord.

Sir HERVEY BRUCE said, he was not aware of this; but he trusted that he had explained the absence of the noble Lord, as well as that of many others of those who signed the recommendation. The right hon. Gentleman opposite (Mr. Cogan) had thought it his duty to attribute the pension of Mr. Young to party motives, and had suggested that he was indebted to it for the inflammatory tone of the poems.

Mr. COGAN said, that he had conveyed no such imputation; but only expressed his regret that the writer of such a tendency should have been selected for the bounty of the Crown.

Sir HERVEY BRUCE said, that he had no desire to adopt the insignificant line of argument involved in retorting upon an opponent that he had been guilty of the very offence with which he charged you. But he warned the right hon. Gentleman opposite to beware before he brought forward a Motion for the discontinuance of the pension, for if that were done, he (Sir Hervey Bruce) could place this pension in a light of transcendant eminence compared with some that had been made on the other side of the House. He desired to mention no names; but he should be fully prepared to do so, if the threat of the right hon. Gentleman were carried out. When it was argued that Mr. Young was an insignificant poet, the House must remember that a pension of £40 a year was intended only for comparative insignificance, and that such a sum would be beneath the acceptance of any man of even moderate position in the intellectual world. A Milton or a Byron needed not the Queen's bounty. But it might very fairly be given as a reward to a poet in humble life, who had been able to write verses that were admired by those among whom he lived. He (Sir Hervey Bruce), knowing Mr. Young well, and the neighbourhood in which he resided, could say that this was the case in the present instance. The poems of Mr. Young were read by the poorer classes in the district with pleasure if with no particular benefit to their minds. He was therefore no unfit recipient of the Queen's bounty, which was intended for the benefit of poor men, not of rich ones. He thought this man had shown himself able in the sphere of life into which he had been born, and had written a certain kind of poetry which went down very well with the people for whom it was written. Under these circumstances, he did not think it was fair to challenge the pension. The hon. Member said his attack was not against the man but the principle. If so, it would have been fairer to have attacked the principle and let the man alone. He defended the grant upon the broad principle that it was a pension given out of Her Majesty's bounty, one of the objects of which was to give help to self-educated meritorious men in struggling circumstances.

Mr. O'NEILL said, he did not happen to be in the House when the discussion commenced, and he had not therefore heard the charges which it seemed had been made as to the use of inflammatory language in the works of Mr. Young. All he could say was that when he signed the memorial to Lord Derby he did so after having seen some of the poetry in question, which, so far as he could judge, contained nothing inflammatory or objectionable. He thought, knowing as he did that Mr. Young was in distressed circumstances, that he was of good character, and in every way, so far as he was aware, deserving of the recognition which it was proposed to obtain for him, that his was a case in which a pension might properly be granted. That was the sole motive which had led him to attach his signature to the memorial.

Mr. WHALLEY said, he wished to call attention to the present aspect of the Fenian conspiracy. In reference to a previous statement of the Secretary of State for the Home Department, that he could afford no information as to the origin, nature, or extent of the conspiracy, he wished to know whether an inquiry had been instituted for the purpose of obtaining such information, and the nature thereof; and, if not, whether it was intended to institute such inquiry? He had visited Ireland on the 12th of July, and thought it only fair to a class which had been much maligned to bear his testimony to their admirable conduct. Positive orders had been given by the Lord Lieutenant that no public meeting of Orangemen should be held on that day; but under the advice of a magistrate, who held that the Lord Lieutenant had exceeded his duty, they did assemble to the number of some 20,000. An enormous number of dragoons and foot soldiers was sent to put them down; but the officers, in conversation with him, admitted that a more orderly or peaceable assembly they had never seen, and they greatly regretted that their orders were so peremptory. He told the officers that he was prepared to accept the responsibility of the proceedings. He should gladly have received a communication from the Lord Lieutenant or Lord Chancellor upon the point, but nothing ever came of it. The statements which had been made in the course of this debate were malicious and calumnious.

MR. O'REILLY said, he rose to order. Was it proper that statements made in the course of a debate should be designated as calumnious?

MR. SPEAKER: The words used were "malicious and calumnious," and I think those words should not have been used.

MR. WHALLEY said, he would leave the House to form its own opinion. For himself he withdrew entirely the words he had used. He would quote a passage which deserved almost to be written in letters of gold, commencing, "Justice to Ireland?—Do it," and describing the hatred of Irishmen to everything English. This passage he attributed to the Chancellor of the Exchequer. Mr. Young had obtained honour of all persons who could appreciate his sentiments, which he with great humility offered to him on that occasion. Before hon. Gentlemen presumed to express the feelings of England they must get repealed that part of our Constitution which required the Queen upon her oath to declare that the things which the poet Young has been engaged in denouncing are blasphemous fables and dangerous deceits. As the House seemed for once inclined to afford him a hearing, he would state the most unusual and improper mode in which the noble Lord had answered his (Mr. Whalley's) questions about Father Maginn and Bishop Moriarty. He asked whether Father Maginn refused to be sworn against the men engaged in the affray where the police-constable Duggan was shot, saying he was acting as a priest; and whether he had the effrontery to say that he purposely put his handkerchief over his eyes that he might not see who were the parties engaged in the murderous affray; and whether Bishop Moriarty had approved the conduct of Father Maginn. The noble Lord said he had received no information upon the subject, and that no investigation had taken place; but the information contained in his (the hon. Member's) Question was communicated to the Secretary of State for the Home Department, who suggested it should be forwarded to the Lord Lieutenant, and the Lord Lieutenant's secretary answered that communication. Notwithstanding this, the noble Lord had led the House to believe that there had been no investigation whatever. He submitted that this must be borne in mind in regard to any matters he might have to submit to the House to justify an inquiry into the present state of the Fenian conspiracy. Last Session he endeavoured to bring this subject before the House; but after an hour's attempt to be heard the Speaker intimated that he could not obtain for him a hearing, and that it would bring discredit upon that assembly if he proceeded further. In yielding on that occasion he thought he had entitled himself to some consideration on the present occasion, when the facts, as they had developed themselves from day to day, had tended very much to confirm the statement he then made, that this Fenian conspiracy was a very serious matter, that there was a very deep and extensive organization, and that the mistakes which had been made by the Government at that time ought to induce them to institute full inquiry. The mistakes and miscalculations had continued since, and there was therefore the more reason now for an investigation of the subject. It was with no hope of restoring peace to Ireland that he proposed this, because the disturbances of 1867, like those of 1848, 1798, and 1641, were due, not to political, but to religious causes. It was said there were religious wrongs in Ireland. Those wrongs were that persons differing from the Roman

Catholics in religion were allowed to live, write poetry, speak, and act amongst them. It was a religious wrong that he should be allowed to speak, and the poet Young to write. When General Garibaldi was over here he purposed visiting Ireland, to point out to the people how they could relieve themselves from their troubles; but the most eminent men on both sides of that House, when they heard that such was his intention, hurried him out of the country. He had seen in the handwriting of Garibaldi that which amounted to a statement that he was sent away to prevent his expressing the sentiments which he (Mr. Whalley) was now endeavouring to express. He had lately visited Wolverhampton, Chester, and Liverpool, and found no difference of opinion on this point—that the danger to be apprehended from a Fenian rising was co-extensive with the cause which made the Roman Catholic quarters of those towns the scenes of constant squabbling. The outbreak of Fenianism was for the purpose of supporting an application contemporaneously made to the President of the United States, to declare the Irish republic belligerent, and he had seen a statement to the effect that several of the leading merchants of New York had subscribed 5,000,000 of dollars, to be employed, when England was engaged in civil or foreign war, in fitting out privateers under the flag of the enemy, whether that enemy should be Irish Republicans or foreign Powers. Another statement was, that during Smith O'Brien's rebellion in 1848 a subscription was organized on his behalf in America, some of the subscribers being leading statesmen of the day, including Mr. Seward and Mr. Horace Greely, and that when the rebellion was over 95,000 dollars of this money remained in hand, which sum the Fenians were now seeking to recover. It was said they could not restore permanent tranquillity to Ireland unless they redressed the religious wrongs of the country. No doubt it was a wrong that he was allowed to speak in that House, and it was a most grievous outrage that Mr. Young should be allowed to publish his poetry. According to these persons Ireland could not be relieved from her wrongs till persons of different opinions from the Roman Catholics consented to hold their tongues, and not in any way to interfere with the full exercise of the utmost authority of the papacy. If they could not throw off that yoke, if they must continue to subsidize their irreconcilable enemy, there should at all events be an inquiry into the origin of the rebellion. They would then have no more of those transparent falsehoods about the political wrongs of Ireland being the cause of the outbreak, and they would at all events be doing something to maintain the character of England, if they could not maintain her independence of this foreign power.

Mr. SULLIVAN said, he was surprised, after the appeal of the hon. Member for Perthshire for the re-consideration of the question of the pension, that no Member of the Government had risen to give any reasons in its favour. The principle involved was a very serious one; and he was surprised to hear it said that anybody who endeavoured to educate himself, or who wrote a book that went down with a certain class of people, was eligible for a pension. This announcement had astonished him. In his country—Ireland—there were many humble men, self-educated men, who had illustrated the language, the history, and the antiquities of Ireland, who had received no pension. But here was a man pandering to the worst passions of our race, by writing, he would not call it poetry, but ribald trash, who was receiving a pension for literary services. If Lord Derby had been assured that the productions were not of a party character that matter should be explained. His own opinion was that Lord Derby had been imposed upon. This was a matter in which the Chancellor of the Exchequer might interfere. The right hon. Gentleman was a man himself of the highest literary character, and if he took up by chance this volume and read any page of it, would hardly endorse the exercised discretion which granted the pension in question for such wretched poetry. The Secretary of the Treasury had defended the granting of this pension. But he (Mr. Sullivan) said it was a scandal to the country that such a grant should have been made. It was a great injustice to those who had a claim to a share of the literary fund that a poetaster should be deemed worthy of a pension, and that the bestowal of it should be sustained.

The CHANCELLOR of the EXCHEQUER: It was my intention to have risen, Sir, when the hon. Member for Peterborough (Mr. Whalley) caught your eye; but as he seemed anxious to speak on the general merits of the question, particularly as it related to the country in which this act of patronage has been exercised, I was unwilling to interpose. I would mention, in the first place, that the hon. and learned Gentleman who has just addressed the House labours under an error in thinking that this pension was granted from the Literary Fund. The Literary Fund is a private institution, presided over by Earl Stanhope.

MR. SULLIVAN said, what he meant was the fund at the disposal of the Crown for Literary pensions.

THE CHANCELLOR OF THE EXCHEQUER: There is no such fund or bounty in existence, although the mistake is not one confined to the hon. and learned Gentleman. Her Majesty has the power, with the consent of Parliament, of distributing the sum of £1,500 annually in pensions; but that sum is not exclusively devoted to literary or scientific claims, and it is only by the gracious permission of Her Majesty that a portion of it has been devoted to these purposes. It has been distributed ever since Her Majesty's accession, and has not been considered to be a profuse amount; but it was not all destined to be devoted to the claims of literature and science. There is no doubt but that of late years a considerable portion has, by the gracious consideration of Her Majesty, been allotted to these purposes; and I think that, on the whole, the pensions that have been awarded to science and literature have been granted with great taste and discretion by whatever Government happened to be in power. There have been cases, certainly, more than one, in which, upon erroneous statements to persons in authority, pensions have been granted—one, a case of great notoriety, with which the House is familiar. These cases are to be regretted; but we must remember that in granting these pensions, in which the claims of literature are concerned, the Prime Minister cannot always act on his own personal experience. A man of great accomplishments, as Prime Ministers generally are, and as we must all admit Lord Derby to be, will have acquaintance with the merits of literary men of high eminence; but literature is so multifarious in its character, that it is hard for a Minister to know the merits of all who may prefer a claim to the Royal bounty. As a general rule, he must depend on the representation of others. In the case of a great poet, like Mr. Tennyson, or an accomplished scholar, like Mr. Southey, the reputation of the individuals would be a sure guide; but there are many other instances, perhaps a majority, in which pensions are granted without the previous knowledge on the part of the Minister who is responsible. On what, then, must he depend? I take the case of a poet—of a person whom the hon. and learned Gentleman calls a poetaster, or it may be a poet. It might be the case of the author of a *Farmer's Boy*, or some other work which is now looked upon as a rustic classic. How would it be possible in such a case for a Prime Minister of England to be familiar with the merits of a Bloomfield or a Clare? He must be guided by persons in the locality in which the writer had distinguished himself. Now what happened in the present case? We are told now that this writer is a poetaster, and that his writings are distinguished by very vindictive feelings and the worst passions of a violent political faction. This may be true, it may or it may not be true, and if the test is to depend on my reading this writer's works, I must say, with all respect to the distinguished persons interested, that I would not undertake to read them through. What is it Lord Derby sees? That wonderful and mysterious document which exercises such an influence in all the transactions of public life—a memorial. He sees that, with all that patriotism and liberality which has always distinguished the Irish people, the memorial in favour of this poetaster who had indulged in the worst rancour of Orange politics is signed by a Roman Catholic prelate of that part of the country. It was unjust thus to treat Lord Derby. It was not fair thus to throw him off his guard, to play off this hoax upon him. I am the last man who would reward a poetaster, whether he was an Orangeman or of opposite politics, who attempted by means of his power of versification to propagate opinions of a malevolent description; but I should myself be thrown off my guard if he came recommended by a Roman Catholic prelate, or *vice versâ* by a Protestant prelate. It was no doubt actuated by the sublimest feelings of charity and patriotism, that the Roman Catholic prelate, in this case, recommended the writer who had attacked his creed and country. I know there is a Christian charity that may distinguish Roman Catholic prelates and Protestant prelates. There is a sublime feeling of forgiveness described by the hon. Member for Longford. And no doubt it was in consequence of this person's continuous attacks on his creed and worship that the Roman Catholic bishop was induced to recommend him for a pension. I think we should take a large and generous view of this case. Lord Derby is, perhaps, by natural temperament too apt to believe what people tell him, and when a man in the position of a Roman Catholic prelate makes an appeal he would naturally believe his statement. Who can believe that Lord Derby would refuse? If he were a cautious or suspicious character he might hesitate. He might think that the man was perhaps a strong political or religious partisan, and that representations had been made to him which the circumstances did not justify. But I look about — I look again at the memorial, and I find that one of the most accomplished men in Ireland, and a practical statesman of the Liberal school, has also signed it. I find attached to it the classic name of Dufferin, a nobleman who is not attached to the party of Lord Derby. I find also the name of a nobleman, a high Wig—the name of Lord Cremorne. Lord Cremorne is particularly anxious that this pension should be bestowed. I say, then, that all these circumstances must be taken into consideration; and when Roman Catholic prelates and Whig Peers and statesmen came forward and pressed upon Lord Derby the exercise of the patronage of the Crown, it is really too absurd to have strictures made in this House as if this was some villanous political job by which some reckless political partisan was to be rewarded. It is quite clear that Lord Derby—perhaps from some error in his education, was not acquainted with the writings of Mr. Young. But when this memorial came supported by Anglican and Roman Catholic prelates, countenanced by endless local potentates, by justices without end, and by the distinguished names of Dufferin and Cremorne—men well known for their acquaintance with literature and science, surely Lord Derby was justified in granting such an inconsiderable pittance. The moral which this case, as well as the whole experience of my life, teaches me is to beware of testimonials. Nobody ever acted on a testimonial who had not afterwards cause to regret it. I am sure that Lord Derby would be sorry to do an unkind or harsh act to any one; but he will notice in the spirit of a man of the world what has occurred in this House, and will do what is proper. In future, when asked to do a similar act by Protestant and Roman Catholic prelates and by Liberal Peers, he will, I am sure, if he possibly can, first read the works of the poet who is to receive the pension.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

Question again proposed,

"That 67,300 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March 1868, including 16,200 Royal Marines."

Whereupon Question again proposed,

"That 65,300 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March 1868, including 16,200 Royal Marines."—*(Mr. Childers.)*

MR. LAIRD said, he hoped the Chairman would be allowed to report Progress. At that late hour it would be impossible to go on, as several hon. Members had intended to speak at some length on this Vote.

MR. CHILDERS said, he made a similar request on behalf of the hon. Member for Hertford. He knew that a considerable number of Members on both sides of the House intended to speak on the subject.

MR. CORRY said, he thought it very desirable to make progress with the Estimates, as only a Vote of £1,000,000 had been taken on account of the men and nothing on the other heads, and they were approaching the end of the financial year. But as he was informed that some six or eight Members intended to speak on this Vote, none of whom were likely to be very brief in their observations, he thought he had better at once postpone further progress till Thursday next after the Mutiny Bill.

MR. CHILDERS said, that if it were felt at all desirable a further Vote on Account might be taken.

LORD HENRY LENNOX said, that that would not be requisite.

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

COURT OF CHANCERY (IRELAND) BILL.

(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland.*)

[BILL 47.] COMMITTEE.

Order for Committee read.

MR. LAWSON said, that as this was

the same Bill which the late Government had introduced, he had no objection to the House going into Committee on it; but he wished first to know what Her Majesty's present Government intended to do with the subsequent or supplemental Reports of the same Commissioners upon whose first Report this Bill was based. Did they intend to introduce a second Bill?

THE SOLICITOR GENERAL FOR IRELAND (Mr. CHATTERTON) said, that with regard to the second Report of the Commissioners, which dealt with the official staff of the Court of Chancery, it was considered better to deal with it in an independent Bill; and he could assure the hon. and learned Gentleman that the Bill was in preparation and would be introduced as early as possible.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 3 *agreed to.*

Clause 4 (Appointment of Vice Chancellor).

GENERAL DUNNE said, that as the Bill proposed the appointment of a Vice Chancellor in the place of three Masters, and as the duties of the latter were to be discharged by chief clerks, with authority and power nearly equal to the Masters, but certainly with not the same amount of legal knowledge, he wished to know if the proposed change would increase the expense to the suitors as well as to the country by the pensions to be granted to the retiring Masters?

THE SOLICITOR GENERAL FOR IRELAND (Mr. CHATTERTON) said, the procedure of the court would not only be more effective but cheaper. The chief clerks were not intended to take the place of the Masters, but to take the non-judicial business and carry it out under the directions of the Vice Chancellor.

Clause *agreed to.*

Clause 5 (Appointment of Successors of Vice Chancellor).

MR. LAWSON said, there was now much unnecessary expense, attended with delay, owing to the needless multiplication of documents and meetings, which might be avoided by a single Judge taking a case throughout, and he would suggest that there should be two scales of costs—the lower one for cases involving sums below a certain amount.

Clause *agreed to.*

Clauses 6 to 10, inclusive, *agreed to.*

Clause 11 (Appointment of Chief Clerks).

SIR COLMAN O'LOGHLEN said, he had to propose an Amendment, which had been formerly proposed by the present Attorney General for Ireland. Its object was to prevent the delegation of duties resulting in the creation of bastard Masters, men not qualified to discharge judicial duties. In form it was to omit certain words, and to insert others requiring that the chief clerk "shall assist the Judge in business not of a judicial character."

THE SOLICITOR GENERAL FOR IRELAND (Mr. CHATTERTON) said, he would accept the principle of the Amendment.

Clause, as amended, *agreed to.*

Clause 12 amended and *agreed to.*

Clause 16 (Tenure of Office of Chief Clerk).

MR. CHILDERS said, that under the clause as it stood, a chief clerk appointed under this Act would be entitled to set up a claim to be compensated to the full amount of his salary in case of his office being abolished.

THE SOLICITOR GENERAL FOR IRELAND (Mr. CHATTERTON) said, the clause was like the clause in the Act relating to the officers of the English Court of Chancery.

MR. CHILDERS said, that was the very reason he objected to it. He suggested that if the words "shall hold his office on the same terms as a civil officer" were added, his objection would be removed.

THE SOLICITOR GENERAL FOR IRELAND (Mr. CHATTERTON) said, he consented to postpone the clause.

Clause 28 *postponed.*

Clauses 29 to 39, inclusive, *agreed to.*

Clause 40.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Colman O'Loghlen.*)

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday* next.

FACTORY ACTS EXTENSION BILL.

(*Mr. Secretary Walpole, Lord John Manners, Sir John Pakington.*)

[BILL 62.] SECOND READING.

Order for Second Reading read.

MR. WALPOLE moved the second reading of this Bill. He said, that it should be set down for Committee on an open evening, perhaps the 29th April, of which hon. Members should have due notice. If the hon. Member for Manchester desired then to move that the Bill be sent to a Select Committee, he should have an opportunity of doing so.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Walpole.*)

MR. FAWCETT said, he hoped that the second reading would be postponed, as the measure was of so important a character that it would be better to afford an opportunity for discussing it upon the second reading. He suggested that the second reading should be postponed and fixed for some other day before Easter. He should take an opportunity of moving a Resolution on Tuesday which would have the effect of raising the whole question, which was exciting the greatest interest throughout the country.

MR. WALPOLE said, he should have been glad to follow that course; but there was no Government night between now and Easter on which he could be sure to bring the measure forward again. If, however, the second reading were agreed to, there would be ample opportunity for discussing the provisions of the Bill in Committee.

MR. AYRTON said, the hon. Member for Brighton could not do as he proposed, and suggested that the Motion for reading the Bill the second time should be put down for Tuesday.

MR. SPEAKER said, that if the Bill were read a second time now, and its further consideration were postponed to a distant day, it would not be in accordance with the rules of the House to discuss it in the interval, as proposed by the hon. Member for Brighton (Mr. Fawcett).

MR. LIDDELL said, he wished to ask whether the Government contemplated introducing a measure embodying the recommendations of the Royal Commission on Agricultural Gangs, the touching disclosures of whose Report he had read with much pain.

MR. POWELL said, he apprehended that there would be the greatest difficulty in the way of this being done; and if the hours of labour of these children were to be limited, the only consequence would be to expose them to greater temptations to vice. He hoped the Government would bring other trades under the provisions of the Bill besides those it dealt with.

MR. DILLWYN said, he should move the adjournment of the debate, as he thought it most important that the Bill should be properly discussed.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Dillwyn.*)

MR. AYRTON said, he should support the Motion for adjournment, because he thought it useless to discuss a Bill on the Motion for going into Committee unless the Committee itself was postponed. It was most important that the Bill should be thoroughly discussed, in order that the country might understand its provisions.

MR. FAWCETT said, that the second reading should be adjourned for the present, but still be fixed for a day before Easter.

MR. WALPOLE said, every Government night between now and Easter was filled up; but if the House would consent to the second reading, he would not go into Committee until the Bill had been fully discussed.

MR. CANDLISH said, he thought they ought to read the Bill a second time that night.

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* 29th April.

HOURS OF LABOUR REGULATION BILL—[BILL 63.]

(*Mr. Secretary Walpole, Lord John Manners, Sir John Pakington.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Walpole.*)

MR. CANDLISH said, he trusted that the proposed limitation of hours would not be applied to the glass trade, as that trade could not be carried on within the limits as to time imposed by the Bill. The necessary skill could only be acquired by practice from a very early age.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday*, 29th April.

BRIDGES (IRELAND) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to afford further facilities for the erection of certain Bridges in Ireland, *ordered* to be brought in by Mr. Solicitor General for Ireland and Lord Naas.

Bill *presented,* and read the first time. [Bill 86.]

METROPOLITAN WATER SUPPLY BILL.

On Motion of Mr. Whalley, Bill to make better provision for facilitating and regulating the supply of Water to the Metropolis and Metropolitan districts, *ordered* to be brought in by Mr. Whalley and Mr. Lusk.

Bill *presented,* and read the first time. [Bill 88.]

PETTY SESSIONS (IRELAND) ACT (1851) AMENDMENT BILL.

On Motion of Mr. Solicitor General for Ireland, Bill to amend the Petty Sessions Act (Ireland) 1851, as to the backing of warrants, *ordered* to be brought in by Mr. Solicitor General for Ireland and Lord Naas.

Bill *presented,* and read the first time. [Bill 87.]

House adjourned at One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, March 25, 1867.

MINUTES.]—Select Committee—Hypothec Amendment (Scotland), *Report.*

Public Bills—*First Reading*—Judges' Chambers (Despatch of Business) (58).

Third Reading—Traffic Regulation (Metropolis) * (52); Metropolitan Poor (45); Trades Unions * (44); Hypothec Amendment (Scotland) * (50), and *passed.*

JUDGES' CHAMBERS (DESPATCH OF BUSINESS) BILL.

PRESENTED. FIRST READING.

The LORD CHANCELLOR, in laying on the table a Bill to relieve the Judges of a portion of their business in Chambers, said, at present the principal part of the practice of the Superior Courts was transacted in Chambers, and a great portion of these duties might just as well be performed by the Masters of the Courts. Last Session, when the salaries of the Masters were increased, he caused a letter to be written to them, informing them that a proposal would be made that additional duties of this kind should be imposed upon them, and giving them to understand that no additional remuneration would be granted on that account. At present, some one Judge was obliged to rise at one o'clock, in order to attend Chambers, and thus half the day was lost. He proposed that the Judges should have the power of making rules and regulations for the purpose of transferring to the Masters such of the business of Chambers as they might think desirable. The noble and learned Lord concluded by moving the first reading of the Bill.

Lord CRANWORTH thought that the measure would be very useful.

A Bill to provide for the better Despatch of Business in the Chambers of the Judges of the Superior Courts of Common Law—Was *presented* by The Lord Chancellor; read 1^a. (No. 58.)

PENSION TO MR. YOUNG, AGRICULTURAL AND HISTORICAL POET.

EXPLANATION.

Lord DUFFERIN said, he desired to offer an explanation of the part which he had taken in recommending Mr. Young to the First Minister for a pension, as it appeared to have been alluded to in "another place" on Friday night. To the best of his recollection he did not sign the memorial, but he wrote a letter in support of it. Having recently paid a visit to Derry he had naturally taken an interest in the historical associations of the town, and in that way he became acquainted with Mr. Young, who had published a very interesting volume of poems, the greater portion of which were not original; but which he had collected, edited, and annotated with considerable care. There were pieces in this volume of great interest to the historian and antiquary. In the same volume were other poems written by Mr. Young, of no very considerable merit, but inoffensive and evincing a certain amount of intelligence, which was the more worthy of notice as he had been a working artisan, and had raised himself by his own exertions. Upon his return home he received a letter from Mr. Young stating that he was in distressed circumstances, and that owing to his advanced years he was no longer able to support himself by manual labour. He (Lord Dufferin) retained so pleasing a recollection of Mr. Young's book, and of the real and *bonâ fide* value of his contribution to the literature of the Province, that he was induced to afford him some pecuniary assistance—a circumstance to which he might appeal for the purpose, showing the sincerity of his opinion. It was afterwards represented to him that Mr. Young's friends were anxious to present to the Treasury a memorial requesting that a pension of moderate amount might be granted to Mr. Young, so as to keep him out of the poorhouse. It had been said that unless a person felt himself justified in contributing individually to the assistance of an indigent man, he had no right to recommend that the State should do so. He, however, was perfectly convinced in his own mind that Mr. Young had in his humble sphere made a very tangible and valuable addition to the literature of the North of Ireland, and it was this ground that disposed him to accede to the request which was made to him. That disposition, moreover, was confirmed by the fact that the memorial contained the signatures not only of Protestant magistrates and citizens of Derry, but of the Roman Catholic Bishop of Derry, and of a great number of Roman Catholic magistrates and citizens of the district. Anyone acquainted with the North of Ireland must be aware that it was not a common occurrence for those two classes to act in concert; and the natural inference would be that works which had obtained the commendation of both of them must possess considerable merit. It was on that account, as well as on account of the personal consideration in which he was held by his fellow-citizens, and of the literary character of the book, that he had felt himself justified in recommending Mr. Young for a pension. He should be inclined to urge upon the noble Earl (the Earl of Derby) the propriety of persisting in the course which, as he understood, had been adopted, were it not for a circumstance which, he was sorry to say, had been brought under the notice of the other House, but which had not come within his own knowledge—namely, that immediately after the pension was granted Mr. Young's friends adopted the extraordinary proceeding of destroying his works. If that were true, it was a very ill-advised act, and reflected great discredit on those who advised it; but if it were not true, it certainly ought to be contradicted.

THE EARL OF DERBY: The noble Lord opposite has an advantage, if it be so considered, over me, inasmuch as he is acquainted with Mr. Young's works, whereas I have not read a single line of them, with the exception of some quotations which have been read elsewhere, and which have certainly not impressed me with a very high opinion of his poetical genius. It is perfectly true, as has been stated by the noble Lord, that I received various memorials in favour of this gentleman, stating that he was originally in very humble life, and that he had made a valuable contribution to the literature of the North of Ireland. I found that he was in pecuniary difficulties, and I had recommendations from both Roman Catholics and Protestants stating that the tendency of his works was to inculcate obedience to the law and good feeling between all classes of the community, and that there was considerable merit in many of his productions. Indeed, there could not have been a stronger testimonial. I may here take the opportunity of stating that the amount of the fund at the disposal of the Crown has been rather exaggerated in the discussion which has taken place elsewhere, inasmuch as the whole sum which can be granted in any one year is not £1,500, but £1,200; and I can assure your Lordships that there is no more painful task than to have to decide on the various claims which are made, it being in many cases impossible to make an adequate grant. No doubt, claims are occasionally made in which the persons concerned have not sufficient merit to deserve a pension; but in the present case I cannot accuse myself of any want of caution. Considering the recommendations which were given by the Roman Catholic Bishop, the Protestant Bishop, and by gentlemen of the highest character of every party and persuasion, I cannot think that I acted incautiously in assigning him the small pension of £40 to save him from the workhouse. It has been said, indeed, elsewhere that those who have to dispense these pensions ought to make themselves personally acquainted with the works on behalf of which they are claimed. I can only say that such an examination of works by various authors on various subjects—philosophical, chymical, historical, political, and literary—would occupy very much more time than, in the situation which I have the honour to hold, I have to dispose of; and, if I did not grant a pension without making myself personally acquainted with the works of the claimants, the result would be to leave a considerable surplus even in the small sum of £1,200 which is at my disposal. I can only do the best in my power, by acting on what appears to be the trustworthy evidence of persons who have the means of knowing the character and merits of those whose cases are recommended to my consideration.

EARL STANHOPE did not think the

noble Earl open to censure, considering the strong terms of the memorials which he received from persons of various persuasions and parties; but he could not help thinking that those who signed the memorial were not wholly free from blame, and the noble Lord opposite (Lord Dufferin) would excuse him if he did not regard his explanation as on all points satisfactory. The noble Lord had stated that the volume which he read was not written, but simply edited and annotated by Mr. Young, and he could not think that such a volume was sufficient to entitle him to a pension. It must be remembered that only a limited amount was available, so that if grants were improperly made, an injustice was inflicted on those whose claims were well founded. He thought the signatures to the memorial had been attached without sufficient consideration, and such a laxity was neither just to the Government nor to the public.

LORD DUFFERIN, in explanation, said, that Mr. Young's labours had not been confined to the particular volume alluded to by the noble Earl. That volume, however, contained some of the most spirited ballads he had ever read, which otherwise might have perished or would not have been accessible to the public; and very often a greater service was rendered by such labours than by the publication of original works. He quite agreed that great care ought to be exercised in signing memorials, for not a week elapsed without his being asked to affix his name to such documents; but he had been careful not to mislead the Government or to overstate Mr. Young's merits, and in the letter which he wrote he simply stated that he thought Mr. Young deserving of a small pension, having always understood him to be a very respectable person, and that he had conducted himself in a highly creditable manner.

EMPLOYMENT OF VOLUNTEERS IN CIVIL DISTURBANCES.

THE INSTRUCTIONS.

LORD VIVIAN said, that a short time ago Her Majesty's Government promised that Instructions should be issued relative to the employment of the Volunteer Force, and he wished to know when they would be presented.

THE EARL OF LONGFORD regretted that some delay had occurred, in consequence of the necessity of consulting the Law Officers of the Crown. The Instructions which were in preparation would not be confined to the Volunteer Force—what was required was the preparation of Instructions which should be clearly understood by the Volunteers, the civil authorities, and the public, and which should be in exact accordance with the law. Great care was therefore necessary; but he hoped that the circular would be issued in a few days.

THE EARL OF CARDIGAN said, that when this question was raised in the House on a former occasion it was distinctly laid down that the Volunteers could be called out only in one case, and that was when an invasion of the country took place. Then arose another question, which was whether, as the Volunteers, like other citizens, might aid in the suppression of civil disturbance, they might make use of their military arms, taken out of the magazine in which they were placed. Now, that was a point which ought to be clearly and positively determined. In his opinion nothing could be more dangerous or objectionable than at a time of civil disturbance the Volunteers, not called out under their officers or acting under military command, should be permitted to go to the store and make use of the arms which they had taken thence. He trusted that the law on this point would be clearly and unmistakably laid down.

THE EARL OF LONGFORD said, that he hoped that the Instructions on the subject would be very clear, so that the Volunteers might be freed from their present state of uncertainty.

THE EARL OF HARDWICKE considered that, under any circumstances, the Volunteers should be empowered to defend their arms.

CONSTABULARY (IRELAND).

MOTION FOR RETURNS.

VISCOUNT LIFFORD, in *moving* for Returns relating to the conduct of the Constabulary during the recent disturbances in Ireland, said, that his object was not only to obtain information which ought to be in the hands of every Irishman, but also to have some record of the curious circumstances of the late attempt at insurrection in Ireland. These circumstances possessed a significance beyond the mere facts. Any one who had observed this Fenian movement for the last five years, who had watched the bragging boasts which had been uttered, the absurdity of the objects aimed at, the dishonesty which had accompanied the handling of money, the peculation which had almost universally existed—as was proved not only by the statements of persons in America, but also by the miserable arms provided for the dupes of the late attempt—and, above all, how hundreds ran away like sheep before a few policemen, must be ashamed almost of the very name of Irishman, were it not for two circumstances connected with the affair. In the first place, there was an extraordinary absence of personal outrage—a thing unparalleled in any popular rising—and he trusted that circumstance would be taken into account by-and-by, except where murder or an attempt at murder had taken place; and he feared there would be quite enough of instances of parties being accomplices in these crimes to make the punishment that would be inflicted sufficiently exemplary. The other most remarkable circumstance was the conduct of the police. The Irish police might be taken as a type of the Irish people. They were not sprung from the middle class; but were chiefly the sons of the small farmers—by far the most numerous class in Ireland—and had been brought up with all the feelings and prepossessions of that class. During the late insurrection, however, they had behaved with a gallant loyalty which had covered them with honour, and which, in his opinion, could not be surpassed. Now, looking at these people as a fair type of their fellow-countrymen, what was the inference? It was this, that though there might be disloyalty in Ireland, it could not be very deep when a few years of discipline and generous treatment had effectually eradicated it; and, at the same time, that the grievances could not be very sore which could be so easily borne. He was one of those who maintained that Ireland had no real grievances; but she has many sores—sores kept open for the basest and most selfish objects. He was one of those who approved the policy of Mr. Pitt, and would put the churches in Ireland on an equality. He would also allow to the tenant farmer in Ireland security in the enjoyment of all that he had invested in improvements undertaken with the landlord's consent. But although Ireland had sores which were continually kept open by persons whose interest it was to do so, she had no deep grievances, and the late events for the most part proved it. They were accustomed to hear statements from the Continent and from America magnifying the grievances and the wrongs of Ireland, and the usual strain of a popular orator in addressing Irishmen was—

> "Hereditary bondsmen, know ye not
> Who would be free themselves must strike
> the blow."

Well, but how had the "hereditary bondsmen" struck the blow this time? Why, with the exception of a few of the worst characters—and setting aside a few miserable shopboys—the whole rural population remained quiet in their houses. Even the boys employed in farm service, who were, he firmly believed, members of the conspiracy, slept out in the hedges, lest they should be taken out by their Fenian commanders; and one unfortunate youth, who naturally preferred his breakfast to a campaign in the field, was actually shot through the leg by one of those commanders, he supposed *pour encourager les autres.* That was the way the Irish people had behaved. But how about the Irish police—the six-feet high men—the sons of the Irish small farmers—of whom he remembered the late Duke of Norfolk, who had seen all the best troops of Europe, saying that they were the finest troops he had seen in Europe? Well, as for these men, stationed at outposts, scattered here and there, few in number, often apart from their officers, how did they behave? Why, the blow they struck, which was for the United Kingdom as well as for Ireland itself, they struck in such a way as to cover themselves with glory, and to do honour to the country which they protected. In one case, the wives of the policemen supplied them with ammunition, and cheered at every volley they fired at the hundreds who attacked them. There was a great lesson to be elicited from this affair, and it was this. He quite agreed with the noble Earl opposite (the Earl of Kimberley) in the remarks which he had made on this subject. He believed that the entire population sympathized with the Fenians, and that the small farmers, who had always been taught for political purposes that they had a right to the fee simple of their land, would not object to take possession of it if offered to them by a successful Fenian commander, if that commander should be so unwise as to give it to them instead of his own followers. But when the time for action came, and they saw what little chance of success there was, they then declined to strike a blow on account of the grievance of a Church which they did not maintain, and a Government which extended equal protection to them and to other classes of the community. Was it the case that Ireland was in a state of misery and oppression unparalleled in the world, except in the case of Poland, as was continually represented by American and foreign papers? Not at all. He had lately seen in a paper published abroad that every Fenian was shot as soon as taken, and the other stories of Irish grievances were about as well founded.

Moved, That there be laid before this House,

Return of the Names of the Police Stations in Ireland attacked during the late attempt at Insurrection, and successfully defended: Also,

The Numbers of Police Constables engaged in each such Defence; the Name of the Inspector, Sub-Inspector, Head Constable, or other commanding in each such Defence; and the supposed Number of Insurgents attacking in each case: Also,

The Names of the Police Stations to which the different Parties of Police belonged who met and successfully engaged the Insurgents in Places other than Police Stations; the Numbers of Police Constables so engaged in each such Place; the Name of the Inspector, Sub-Inspector, Head Constable, or other commanding in each such Case; and the supposed Number of Insurgents so met in each Place: And also,

The Names of any Officers or Police Constables killed or wounded during the late Attempt at Insurrection.—(*The Viscount Lifford.*)

The Earl of DERBY: My Lords, I think that the noble Lord has only done an act of justice in calling your Lordships' attention to the subject of these Returns. I shall be happy to consent to their production, for I entirely concur with the noble Lord that it is very desirable that there should be a permanent record of the services—the most valuable services—rendered during the insurrection by that admirable body of men, the Irish police, and more especially those who so signally distinguished themselves in suppressing the late rising. My noble Friend has referred to the circumstance—and I quite concur with him—that this body of police are sprung from a class among whom, if among any, we might have expected to find seeds of disaffection; and yet in no case have there been the slightest manifestations of discontent on the part of any portion of the constabulary; but, on the contrary, their efforts for the maintenance of the public peace and the suppression of the insurrection have hardly fallen short of being actually heroic. Sprung, as I may say they were, from the people, and being habitually placed in circumstances under which, I venture to say, no regiment in Her Majesty's service could have been placed, even for a very short time, without becoming absolutely and entirely demoralized—scattered about in all parts of the country, without support, without the control of any superior officer, exposed to every possible temptation to disloyalty offered by persons, many of whose feelings and prejudices they must largely share—I must say it is in the highest degree creditable to the constabulary that they should not have shown the slightest manifestation of swerving from their duty; but that they should, on the contrary, have performed it in a way which surpasses all my powers of language to express. I have thought it due to them to say these few words in reference to their conduct; and I think it quite right that the individuals who have discharged their duty so meritoriously and with such fidelity and honour, should be placed before the country. I am sure, also, that your Lordships will concur in the propriety of the course the Government propose to adopt, in asking the House of Commons to vote a sum of money to be distributed among those who have chiefly distinguished themselves, and also to distribute among them badges of honour which will be permanent memorials of their courage and devotion.

The Earl of ELLENBOROUGH: I must observe that all the facts brought to our knowledge in connection with the insurrection are totally inconsistent with the supposition, suggested by the noble Lord (Viscount Lifford), that the insurgents had the general sympathy of the people.

The Earl of CORK said, he desired to bear his testimony to the great courage shown by the Irish constabulary whenever they had been brought into contact with the misguided men who had vainly endeavoured to destroy the British Government. Where all had behaved so well it was difficult to make any particular distinction; but he could not help referring to the gallant stand made at a place not far from his property by fourteen policemen, who had bravely resisted some 300 insurgents for more than three hours. He had heard with great pleasure that it was the intention of the Government to reward those who had behaved so well; and he ventured to call attention to a recommendation made by a Royal Commission that, as an encouragement to the force, a certain degree of promotion should take place within it; so that the more deserving men might have the prospect of rising to the more lucrative position of sub-inspectors. The Government could not have a better opportunity than the present of carrying out this recommendation.

THE DUKE OF CAMBRIDGE: My Lords, I am glad of this occasion to bear my testimony to the admirable conduct of the Irish constabulary. I have had the opportunity of seeing the reports from the various detachments of troops employed in the disturbed districts, and on every occasion they report that the conduct of the police was marked with the greatest possible loyalty and bravery, and that not in one single instance had they failed to do their duty. The position in which those men were placed was a most trying one. They were scattered in very small bodies all over the country, many of them were of the same class as the misguided people who have violated the law; these people had every facility for tempting the constabulary to swerve from their loyalty, and yet in not one single instance was that loyalty shaken. I rejoice to hear that the Government intend publicly to mark their sense of the conduct of the constabulary; and I am satisfied that the remarks made in this House, and the rewards they will now receive, will have the best possible effect and will induce them to continue the loyalty and bravery which they have recently displayed, and which, during my own residence in Ireland, always distinguished them.

THE EARL OF KIMBERLEY: My Lords, I should be sorry to let this opportunity pass without bearing my testimony to the admirable manner in which the Irish constabulary behaved during the late outbreak. Having had full opportunity of observing the conduct of the constabulary during the time when I was Lord Lieutenant, I can say most positively that there was scarcely an instance in which the smallest sympathy with disaffection was observed among them. The same testimony, I believe, will be borne by the present Government of the entire absence of disaffection among the force. The behaviour of the constabulary upon recent occasions is such that, as the noble Earl opposite has said, it is entirely beyond any words of mine to express the honour due to them. It must be remembered—and I must repeat what has been said already — that these men are scattered throughout the country in singularly small detachments; that the nature of their duties requires them to be in the closest contact with all classes of the population; and that they are consequently exposed to much greater temptation than can be brought to bear upon a military force. It is therefore not entirely just to ascribe their freedom from disaffection to force of discipline; because, although the force of discipline has great effect upon them, yet, from their scattered position, it is impossible that discipline can be so stringent and so effectual for this purpose as in the case of a military force. This fact enhances the merit of the constabulary, and enhances also what is exceedingly important—the confidence we may place in the force for the future. I may also remark that the force represents fairly the population of the country, being drawn from Roman Catholics and Protestants in much the same proportion which these bear to the general population. There is no special selection of the constabulary from any class of the population who may be supposed to be more loyal than the other; they are fair samples of the population of Ireland—except, of course, that great care is taken only to engage men of good character. I am exceedingly glad that I was, to some extent, the cause of the consideration by Her Majesty's late Government of a plan for raising the pay of the force. That rate of pay was fixed many years ago and was very insufficient; and the loss of men was so large, and the difficulty of recruiting so great, that we had considerable apprehension as to the efficiency of the force. The plan was prepared and assented to by the late Treasury, and was carried into effect by the present Government. I think the First Lord of the Treasury will confirm my statement that that plan has been found effectual to a very considerable extent; that the same difficulty has not been experienced in recruiting during the last few months; and that a very good class of men has been joining the constabulary. I should be the last person to advocate extravagance in any branch of Her Majesty's service; but I emphatically say that I do not believe there is any force at the disposal of Her Majesty, as this may be said to be, which deserves more liberal treatment than the constabulary of Ireland. I hope that every reasonable request of theirs will be fairly and generously considered, and that no opportunity will be lost of strengthening their loyalty and showing that their courage and trustworthiness are thoroughly appreciated by this country. This is a matter of great importance to all classes in the country; and I rejoice that the Government intend to bestow some special marks of honour on all the members of the force who have distinguished themselves.

The Duke of CAMBRIDGE: Perhaps I may be allowed to add a word on a subject of importance—the conduct of the troops during the outbreak. I am most desirous to state that their conduct, under most trying circumstances, has been most exemplary. The elements were much against them; they suffered much exposure to the worst weather; yet they marched long distances—I may say, not only without the slightest murmur, but with the greatest anxiety to perform their duty. I am persuaded that, whatever may be said to the contrary, if it came to the test, you would find among the troops no feeling except of the right sort, and that they would discharge their duty with the greatest gallantry.

Motion *agreed to.*

METROPOLITAN POOR BILL—(No. 45.)

(*The Earl of Devon.*)

THIRD READING.

Order of the Day for the Third Reading read.

The Earl of DEVON *moved* the third reading of this Bill. On a former occasion some remarks were made by a noble Earl (the Earl of Shaftesbury) with reference to the authority under which persons of unsound mind were detained in workhouses. He had received a communication which conveyed an assurance that the best means of solving the question involved should be duly considered.

The Earl of SHAFTESBURY expressed himself satisfied with the assurance, and added, to save himself from the appearance of discourtesy to the head of the Poor Law Board in delaying so long his Notice of Motion on the subject, that he had had an interview with the right hon. Gentleman, who, he supposed, had forgotten the suggestions that were made in the extreme pressure of business.

Motion *agreed to:* Bill read 3ª, and *passed.*

House adjourned at Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, March 25, 1867.

MINUTES.]—New Writs Issued—*For* Galway Town, *v.* Right Hon. Michael Morris, Puisne Judge of the Court of Common Pleas in Ireland; *for* College of the Holy Trinity, Dublin, *v.* Hedges Eyre Chatterton, esquire, Attorney General for Ireland.

New Member Sworn—Right Hon. Lord Robert Montagu, *for* Huntingdon County.

Select Committee—On Libel, Mr. Goldsmid *added.*

Public Bills—*Resolution in Committee*—Promissory Notes (Ireland).

Ordered—Public Health (Scotland); Promissory Notes (Ireland).*

First Reading—Public Health (Scotland) [89]; Promissory Notes (Ireland) * [90].

Second Reading—Representation of the People [79], debate *adjourned.*

Third Reading-Consolidated Fund (£7,924,000)*; Inclosure * [72], and *passed.*

FLOGGING IN THE ARMY.—NOTICE.

Sir JOHN PAKINGTON: I wish, Sir, to give Notice that in Committee on the Mutiny Bill, on Thursday next, I propose to move a new clause instead of the clause which now stands in the Mutiny Act, relating to corporal punishment. The clause which I propose to move will have two objects. The first will be to restrict the infliction of corporal punishment in times of peace to three offences—namely, mutiny, aggravated insubordination, and disgraceful conduct of an indecent character. The second object of the clause will be to provide upon the face of the Mutiny Act that which is now only arranged under the Queen's Regulations—namely, the division of soldiers into two classes; and I propose to enact that, under no circumstances, shall a soldier of the first-class be subject to corporal punishment. I will lay upon the table of the House to-night or to-morrow the clause which I mean to introduce.

CORRUPT PRACTICES AT ELECTIONS—REMOVAL OF MAGISTRATES—CERTAIN MEMBERS OF THIS HOUSE.

ANSWER TO ADDRESS.

Answer to Address [19th March] *reported* as follows:—

"I have received your Address, praying that I will give directions for the removal of all persons in the Commission of the Peace of any County, City, or Borough

who have been found, either by Committees of the House of Commons or by Royal Commission, guilty of, or privy, or assenting to Corrupt Practices at Parliamentary Elections.

"*Concurring with you in the propriety of discountenancing all such Corrupt Practices, I will take into my serious consideration how that object may best be accomplished.*"

REPRESENTATION OF THE PEOPLE BILL—SUFFRAGE TO WOMEN.

QUESTION.

MR. DENMAN said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, having regard to the Act 13 & 14 *Vict.* c. 21, s. 4, which enacts, "That in all Acts words importing the masculine gender shall be deemed and taken to include females," it is intended by the use of the word "man," instead of the words "male person" in Clause 3 of the Bill to amend the Representation of the People, to confer the suffrage on women qualified according to the requirements of that Clause?

THE CHANCELLOR OF THE EXCHEQUER: It appears to me, Sir, that this is a Question which the hon. and learned Gentleman might have reserved for the Committee on the Bill, when the opinion of Gentlemen of the long robe might be taken with respect to it. I am scarcely competent to offer one; but I have considered this subject, and it appears to me that if he had studied it more attentively he would have found it unnecessary to put his Question. It is laid down in the Act to which he refers that in all Acts the words importing the masculine gender shall be taken to include females unless the contrary is provided. But that is, I believe, provided in this instance.

ARMY—COLOUR SERJEANT T. CONNELL.

QUESTION.

COLONEL SYKES said, he wished to ask the Paymaster General, By what legal authority the Commissioners of Chelsea Hospital suspended the pension of Colour Sergeant T. Connell, late of the 78th Highlanders, to the amount of £9, for alleged insubordination as a clerk in the office of the Adjutant of a Militia Artillery Regiment, he having completed, with an unsullied character, his contract of twenty-one years' service with the State, and having thus acquired by right the enjoyment of his pension for the rest of his days?

MR. STEPHEN CAVE said, the circumstances under which Thomas Connell's pension was suspended were these:—He was sentenced by a regimental court martial on the 28th of June last year to reduction to the ranks, and ten days' imprisonment in Forfar Gaol "for conduct highly insubordinate, and to the prejudice of good order and military discipline." His commanding officer, Colonel Laird, reported on the 30th of the same month to the Secretary of State for War that, after his sentence had been read, "his conduct was scandalous in the extreme;" that he tried to excite the men to mutiny on parade, fought and struggled with the escort on the road to the station, and harangued the passengers in the train during the journey. Colonel Laird says—

> "If he be allowed to go unpunished for these crimes in addition to that he was convicted of, it is impossible that I can maintain order and discipline in the regiment."

This report having been referred by the Secretary of State for War to the Commissioners of Chelsea Hospital, they decided that the suspension of Connell's pension for three months was the lightest punishment they could inflict, after giving every consideration to his previous long service and good conduct. The legal authority under which the Commissioners acted in such matters was the Act 7 *Geo.* IV. c. 16, s. 13, which enacted—

> "That it should be lawful for the Commissioners, and they are thereby authorized and empowered, upon complaint and proof to their satisfaction being made to them of any fraud . . . . . or of other misconduct attempted or practised by any person being a pensioner, to suspend or take away the pension."

This Act was confirmed by the Act 9 & 10 *Vict.* c. 10. The last part of the question was somewhat ambiguous. If by "right" the hon. and gallant Member meant legal right, he had shown that the law under which the pensions were granted provided for their contingent suspension and forfeiture. If the hon. and gallant Member meant that in his opinion the law ought not to contain such a provision, it was obvious that he had entered upon a field of argument far beyond the limits of a simple question and answer.

REPRESENTATION OF THE PEOPLE BILL—WEST BROMWICH.

QUESTION.

MR. H. B. SHERIDAN said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, considering that West Bromwich, if united to Wednesbury and Tipton as proposed, would form a Borough, the population of which would be 92,000, with 18,000 houses, he will take into his consideration the question of creating West Bromwich a separate Borough with one Member, instead of giving, as is proposed, an additional Member to the County?

THE CHANCELLOR OF THE EXCHEQUER: Sir, if the hon. Gentleman will refer to the Act for amending the Representation of the People, he will find that he is under an erroneous impression in supposing that we propose to give an additional Member to South Staffordshire. What we propose is to divide the county, and to give it two Members. It will therefore not be in our power to adopt the suggestion of the hon. Member.

CASE OF THE "VICTORIA."

QUESTION.

SIR ROBERT COLLIER said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he has any objection to lay upon the table of the House, the Correspondence between the British Government and that of Spain relative to the capture of the *Victoria*?

LORD STANLEY: I have, Sir, no objection to produce the Papers. They will be laid upon the table as soon as they can be prepared.

REPRESENTATION OF THE PEOPLE BILL—BOROUGH FRANCHISE.

QUESTION.

MR. WARNER said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he can furnish the House with any estimate of the probable number of new £10 Borough Voters who would be added to the Constituencies by that part of his Reform Bill which provides for the Re-distribution of Seats, irrespectively of the proposed alterations of the Franchise?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the population of the new Boroughs is 438,000, and the occupiers, estimated at the same ratio as in the case of England and Wales, would be—above £10, 32,000; and below £10, 36,000; making a total of 68,000.

IRELAND—SUSPENSION OF THE HABEAS CORPUS ACT.—QUESTION.

MR. OSBORNE said, he rose to ask the Chief Secretary for Ireland, Whether, previous to the meeting of Parliament, any communications were made to or addressed by the Irish Government to the Lieutenants of Counties in Ireland, the Commissioners of Police in Dublin, the Inspector General of Constabulary, or the Justices and Resident Magistrates in Ireland, as to the expediency of a further continuance of the Habeas Corpus Suspension Act beyond the 26th February 1867, or of allowing it to expire on that day; and if any such communications were made, whether he will lay the original inquiries, and replies thereto, upon the table of the House?

LORD NAAS: In answer, Sir, to my hon. Friend, I have to say that the Irish Government are not in the habit of consulting the Lieutenants of Counties in Ireland, the Commissioners of Police in Dublin, the Inspector General of Constabulary, or the Justices and Resident Magistrates, before they come to a decision on a matter of such importance as the proposal to renew the Suspension of the Habeas Corpus Act in Ireland. I can only say that that recommendation was made on the responsibility of the Irish Government, and I am prepared to defend it. Of course, as no such communications were made, no replies were received.

MR. OSBORNE: Then, Sir, I beg leave to give notice that on an early day I will draw attention to the Suspension of the Habeas Corpus Act, and to the state of Ireland generally.

REPRESENTATION OF THE PEOPLE BILL — THE WORKING CLASSES AND THE BOROUGH REGISTER.

QUESTION.

MR. LOWTHER said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he can form any estimate of what would be the probable percentage of the Working Classes upon the Borough Register if the proposed Reform Bill became Law?

THE CHANCELLOR OF THE EXCHEQUER: There are no data, Sir, on which to form an estimate of what the number of working classes purely on the register would be. No doubt those who would come under the provisions of the new Act would form portions of very various classes.

UNITED STATES—THE "ALABAMA" CLAIMS.—QUESTION.

Mr. SHAW-LEFEVRE said, he would beg to ask the Secretary of State for Foreign Affairs, Whether it is true that the renewed Correspondence with the United States Government on the subject of the *Alabama* claims has been concluded; and, if so, whether he will lay the Papers upon the table of the House?

Lord STANLEY: Sir, the Correspondence with the United States Government on the subject of the *Alabama* claims—or, I should rather say, on the subject of the claims on both sides, arising out of the events of the late war—is not at present concluded. Under these circumstances, I think it would be better to defer the publication of the papers. I may, however, perhaps take this opportunity of contradicting a report which has gone the rounds of the newspapers to the effect that communications stated to be of a very unfriendly character had been received from the Government at Washington. There is no truth whatever in such a report.

DISTURBANCES IN IRELAND—CASE OF CONSTABLE DUGGAN.

QUESTION.

Mr. WHALLEY said, he wished to ask the Chief Secretary for Ireland, Whether he has received any further information in reference to the shooting of Police Constable Duggan, and the alleged conduct of Priest Maginn and Bishop Moriarty in connection with it?

Lord NAAS, in reply, stated, that he adhered to the statement he made last Friday, that no formal inquiry was instituted into the circumstances of the case alluded to by the hon. Member. No doubt informations were taken in the usual way.

CASE OF MR. CHURCHWARD.

QUESTION.

Mr. Serjeant GASELEE: Now, Sir, that we have the gracious Reply of Her Majesty to the Address of the House, I wish to ask the Secretary of State for the Home Department, Whether the Lord Chancellor, since finding out the circumstances relative to Mr. Churchward, has rescinded his appointment as a Magistrate of Dover?

Mr. WALPOLE: Sir, the Lord Chancellor is taking all these cases into consideration.

REPRESENTATION OF THE PEOPLE BILL—PROGRESS.—QUESTION.

Mr. BRIGHT: Sir, I beg to ask Mr. Chancellor of the Exchequer, Whether there is any truth in the statements that have been lately published—that it is the intention of the Government, if the Representation of the People Bill be read a second time, that the Committee shall be postponed till after Easter; or, whether, pursuant to the impression he gave the House, as to sitting in Committee from day to day, he will move for the Bill going into Committee on the very first opportunity after the Second Reading?

The CHANCELLOR of the EXCHEQUER: Sir, I am not aware of the existence of the reports referred to by the hon. Member. They may, perhaps, have emanated from some journal with which the hon. Member is more familiar than myself. [Mr. Bright: The *Morning Post.*] There is no authority, however, for such a statement. The time has not yet come for considering the question as to when we shall go into Committee on a Bill which has not yet been read a second time. In due time I shall make a proper announcement as to the course which the Government will adopt.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL.—[Bill 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Lord Stanley.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hunt.*)

Mr. GLADSTONE: Sir, I think that if the question now put were not upon the second reading, but upon the third reading of the Bill which I hold in my hand, in the terms and to the effect with which it is framed, that it would be negatived by a majority, and, perhaps, even by a large majority, of the House. I think, further, that if we were now considering the question whether the House should resolve into

Committee on the Bill there would be many among us, possibly a majority—and I among the number—who would entertain the opinion that unless we entered the Committee, armed and assisted by some declarations, and even engagements from the Government different from those yet given to us, the task of considering the Bill would be a hopeless one ; and such an attempt, instead of tending to save time, would be the most certain means of losing time and postponing a settlement of this question. But, Sir, the rules of the House, wisely framed as they are, give us two ordinary and usual opportunities of questioning the principle of any Bill proposed for our consideration; and what I would presume to suggest to the House is that we should endeavour to make use of this occasion of the vote and the discussion upon the second reading of the Bill in order to ascertain, with greater precision than we now do, what are the views of Her Majesty's Government, so that before we come to the question of your leaving the Chair, we may have fuller means of judgment upon the point to be then considered by us—namely, the important question whether we ought to undertake the task of dealing with this Bill in detail. I therefore Sir, for one, propose, if I assent to the second reading, to assent to it as a measure for extending and reducing the suffrage, for the re-distribution of seats, and for certain other purposes either in themselves desirable, or, at all events, entitled, when proposed by the Government, to be taken into consideration by the House.

And now, Sir, I wish to describe the objects which, so far as I know, are desired or entertained either by the whole House or by a great majority of the House in reference to the adjustment of this question; and when we speak of the desirableness of a settlement, perhaps the time has now arrived when on most—possibly even, I may hope on all points—we may mean nearly the same thing by that phrase. I think then those objects, as far as I am aware of them from communication with Members of the House, are three—first, that a legislative measure should be passed without delay—that is, in the course of the present year;—secondly, that that measure should be based upon a liberal enfranchisement—I will not now undertake to define it—of the labouring classes;—and thirdly—and perhaps this is the most important of them all—that the provisions of the Bill, and in particular the conditions of that liberal enfranchisement, should be so devised that the Bill may carry with it a fair and reasonable promise, if not of finality in the strictest sense of the term, yet of that kind of fixedness which is all that the nature of public legislation permits us in such a matter to expect or even to desire. Now, Sir, it appears to me that in order to realize the third of these conditions, two rules especially and far beyond all others must be observed. We must have no exclusions from the franchise that are arbitrary in their character, or that are otherwise than founded upon broad and intelligible grounds. So much as to exclusions from the franchise; but I add this second principle, that within the pale of the franchise we must have no distinctions drawn by legislation which are of either a vexatious or needless character; because these distinctions—at least so it appears to me—would go more directly than any other form of defect in a Reform Bill to destroy the hope of that fixedness which we all conscientiously desire.

Now, Sir, I desire to examine the provisions of the present Bill in the light of these propositions. Yet, before doing so, I cannot help uttering a word of regret for the loss of a production that nobody else has as yet audibly regretted—I mean the £6 Rating Bill. I know not, indeed, whether I must speak of it as a Bill, or whether I must only speak of it as a measure sketched in the speech of the right hon. Gentleman the Chancellor of the Exchequer; but this I must say—repeating what I have ventured to state before—that that Bill did afford, in my opinion, a basis upon which a settlement might have proceeded. There were points on which I conceive that those who sit on this side of the House, and possibly on the other side, would have been at issue with the Government; but the issues were of a simple, straightforward, intelligible character; and I am persuaded that if the Government had refused to make reasonable changes, or if we on this side had demanded unreasonable changes, the public mind, perfectly possessed of the question, would have been directed to the merits of the controversy, and would by moral force have compelled either one side or other, or both, to arrive at an agreement on the basis of the provisions of that measure. I therefore regret its brief-lived existence—

"Ostendent terris hunc tantùm fata, neque ultra
Esse sinent."

It is gone and cannot be revived. We must make the best of the measure before us; and I wish to-night to inquire how that best can be made.

Sir, it appears to me nothing can be more discouraging than the prospect, when we survey the main heads connected with the settlement of the question. Sketching them lightly, and not attempting artificially to multiply those difficulties, I find they amount to these ten:—A Bill on this subject must, I think, to be satisfactory, contain a lodger franchise; but this Bill contains no lodger franchise. It seems to me that a Bill of this kind, professing largely to enfranchise downwards, must provide some means of preventing the traffic in votes that would infallibly arise in a large scheme affecting the lowest class of householders. This Bill contains no such provisions. It seems to me we must do away with the vexatious distinctions that now exist between compound-householders in a condition of life and society that are recognised by law as fitting them for the franchise, and those persons of the very same condition not being compound-householders. This Bill does not do away with these distinctions; on the contrary, it introduces new ones. I think that the taxing franchise must be omitted. I think that the dual vote must be abandoned. I apprehend there is no doubt that the re-distribution of seats proposed by this Bill must be considerably enlarged. I also venture to take it for granted that the county franchise proposed by the Bill must be reduced. I doubt whether the feeling of the majority of the House will allow the Government to entertain the important provision for the optional use of voting-papers. And finally, with respect to the collateral or bye-franchises or special franchises—that, perhaps, is the best term for them—my opinion, I confess, is that, although on principle no objection can be made to those franchises, or some of them, yet, when we come to examine we shall find, as we obtain acquaintance with the conditions of each proposal, that the advantages continually dwindle, that the obstacles and difficulties continually multiply, and that there will remain finally either a thin and sterile residuum, or else they will altogether disappear. These are the ten main heads to which I referred. But in the discussion I shall confine myself to the subject of the borough franchise, and for this reason:—It is a subject which appears to me to be involved in the greatest—nay, I will say, by the provisions of the Bill as they now stand in hopeless intricacy and difficulty; and it must depend on the assurance which may be given us by the Government with respect to the borough franchise in the course of this debate whether, when we come to the question of your leaving the Chair, there will be any prospect of really gaining ground by going into Committee on the Bill.

Now, if I look at the 3rd clause of this Bill—the great enfranchising clause —I find that it presents to me these prominent features. In the first place, it appears to convey an impression that we are now going to abandon all attempts to distinguish between class and class—to recognise the universal fitness of all classes of the community; and I must confess it appears to me, with great submission, if we do recognise that universal fitness it is not so very important—as the right hon. Gentleman the Chancellor of the Exchequer thinks it is—whether we recognise it under the name of "popular privileges" or "democratic rights." The clause begins with a statement, as if to give the public the impression that we were going to confer what is called "household suffrage." Now, without attempting to commit any man in the House, and certainly without having any exaggerated apprehension of the evil consequences that might result even from an error that we might commit in this direction—because I believe the good sense of the country and the strength of its institutions and traditions would effectually qualify and restrain the evil consequence of such an error—I must say, it does not appear to me that we are required either by the state of the population, by the wishes of the country at large, by the opinion of this House, by previous pledges, or by any single consideration that can be brought to bear on the question to assent to that very broad principle. Treating that assent as an assent that is needless, and as one that might produce in several particulars inconvenient consequences, the fact that I do not apprehend ruin and destruction from it is no reason at all for my adopting the proposal, if I thought that a better proposal could be devised. Therefore, for the present, I merely demur to that proposal—not as being one under all circumstances undesirable, but as being at the present moment needless, and therefore unwise. But when I go on further in the clause, I find that this immense concession is so qualified by restraints that they absolutely stultify the concession itself. The House is asked to enfranchise, by adopting this proposal, 750,000 people, in order immediately afterwards to introduce a condition which cuts off two-thirds, or as I think I can show more, of that number. But this disqualification is itself qualified; because in this barrier of personal rating which is set up by the clause, and which *primâ facie* shuts out this 500,000, is introduced a little wicket through which, by a process which we will presently examine, it will be in the power of individuals to introduce themselves into the franchise. I think I shall be able to show that that portion of the clause which introduces this restraint is thereby rendered almost entirely nugatory. In this case you have household suffrage to deal with. It may be entirely nullified by the restraint, or it may be that the restraint itself is nugatory, and that the 500,000 persons apparently shut out will be brought into the qualification. But that which will be also easily shown is this, that if this Bill were to become law, it would depend upon the accidental political leanings of local authorities, or upon the exertions of registration agents, to determine whether we were or were not to be landed on the broad principle of household suffrage, or were to be restricted to the narrow ground by which only one-third of the householders below £10 are to be enfranchised.

Now, Sir, whether we are to take household suffrage as our broad basis, or our basis is to be narrowed to that adopted by Her Majesty's Government, let us, at least, take one basis or the other; let us keep in our hands the power of determining what shall be the limits of the constituencies, and do not let us hand that power over to local authorities, or to the registering agents of the several political boroughs of the country. When I examine more at large the operation of this Bill, I find that it arranges the borough constituencies in what I venture to term a hierarchy of five classes. At the head of the list stand those favoured children of fortune—those select human beings made of a finer clay than the rest of their fellow-subjects—who are to be endowed with dual votes. Upon that dual vote I shall not trouble the House, for I think that my doing so would be a waste of time. Next to these dual voters, before whose eyes this glittering falsity has dangled—although I am afraid they can have but little hope of grasping it—come the old £10 householders of 1832. The position of the latter is nominally entirely unchanged by the Bill. But while nominally unchanged, their position is really changed most materially; because a considerable number, stated by the right hon. Gentleman opposite to be 750,000 at the most, or 250,000 at the least. At any rate, a very considerable number of what I may call minor voters is to be introduced by this Bill into the franchise. Thus the privileges of the old £10 householders will be seriously attacked from below; while, on the other hand, from above they will be swamped by the admission of some 300,000 dual voters. Therefore, the position of the old £10 householder of 1832, although nominally untouched by the Bill, will be considerably affected by its provisions. The third class to which I will refer is that which includes the £9 householders, by which I mean all persons inhabiting a house under the £10 rental who are to be admitted to the franchise. The difference between the £9 and the £10 householder is that two years' residence is required from the former and only one year's residence from the latter; that the former is qualified only in respect of the dwelling-house, while the latter is qualified in respect of the dwelling-house, warehouse, shop, or other building; and finally, that the former must live in an entire house, and cannot qualify in respect of part of a house, as is the case of the £10 householders. But this is not one of the most important portions of the subject. The right hon. Gentleman endeavoured to sustain his proposal by saying—if I understood him rightly—that this proposal was contained in the Bill of 1854. But the right hon. Gentleman is inaccurate in his reference to Lord Aberdeen's Bill. If he will have the kindness to examine that Bill, he will find that it was prepared with the idea that a very simple measure of dealing with the Parliamentary franchise would be sufficient — namely, to cut off what I may call the upper slice of the municipal constituency, and to endow those forming it with a vote, the object being to avoid as far as possible the creation of new conditions in the constituencies. For that reason the Bill of 1854 required a residence of two years and eight months. [The CHANCELLOR of the EXCHEQUER: It only required a residence of two years.] Is that so? Well, it is not a very important point. At any rate, further experience showed that this provision in Lord Aberdeen's Bill was very defective and unwise, and therefore it was omitted from the Bills of 1860 and 1866. I merely urge that point against the Bill without endeavouring to attach to it any capital importance. But what is of far more importance is the point to which I now come—namely, the distinction that is drawn between the compound-householders who do not pay their own rates and the ratepaying-householders. The former fall into two classes. First of all, there are the compound-householders who already exist, and who inhabit houses of the value of £10 per annum and upwards. With regard to them it is perfectly true that their position is not made worse by the Bill than it is under the existing law. The right hon. Gentleman, indeed, told me the other day that the compound-householder if he could get it was to have the dual vote. That statement of the right hon. Gentleman appears to me to be inconsistent with the 7th clause of the Bill; because it there appears that the dual vote is to be limited to those who are registered as voters for the borough in respect of any franchise involving the occupation of premises and the payment of rates. Now, the present legal position of the compound-householder does not at all involve the payment of rates, and consequently he cannot in any event become entitled to the dual vote.

THE CHANCELLOR OF THE EXCHEQUER: The right hon. Gentleman must have entirely misapprehended me. What I said was, that if the compound-householder, having already one vote under another franchise, qualified himself for the dual franchise by paying his rates he would enjoy the second vote.

MR. GLADSTONE: I asked the right hon. Gentleman whether the compound-householder would have the dual vote? He replied that the compound-householder would have the second vote if he qualified himself by paying his rates — that is to say, if he ceased to be a compound-householder.

THE CHANCELLOR OF THE EXCHEQUER: If he pays his rates, he will have the second vote.

MR. GLADSTONE: Yes, but there are no rates for him to pay. There is no provision in the Bill which enables him to pay his own rates.

THE CHANCELLOR OF THE EXCHEQUER: Yes, there is.

MR. GLADSTONE: He is to be allowed to pay his own rates in the extremely rare cases where his landlord has neglected to pay them and they are in arrear. I regard this dual vote as a mere phantom; but at any rate, I say the compound-householder is excluded from it. It is said that the compound-householder is left in his present position by the Bill. But the present position of the compound-householder is one of the greatest blots on the existing system, and is one of the strongest reasons for Reform. I venture to say that it will be totally impossible to pass any Reform Bill which does not improve the position of the compound-householder. Therefore, in leaving the position of the compound-householder unimproved, the right hon. Gentleman has been Conservative on a point in which it was desirable that some innovation or improvement should be introduced; because, as the matter stands under the present Bill, the compound-householder is kept in a position of inferiority, and whether he is or is not to have a vote depends on the sympathies of the parochial officers or on the well-paid vigilance of the registering agents. But the right hon. Gentleman might say with truth that the compound-householders occupying houses over £10 in annual value, if enfranchised, would form but a small proportion of the ratepaying-householders of this country; and here I am at the threshold of a portion of the case to which I am most anxious to draw the attention of the House. The fifth class of voters who are supposed to be enfranchised by this Bill are, indeed, in a deplorable condition. There are 500,000 of them, and they were told by the right hon. Gentleman in his speech of last Monday that, perhaps, they were just as good men as those who were above them, and that he would give them every facility for obtaining the franchise.

I will now examine the Bill, and see how these promises of the right hon. Gentleman are fulfilled. What is his idea of giving the compound-householder every facility for obtaining the franchise? What are these compound-householders? They are persons who, under the authority of Parliament, pay rates only in the form of rent; they are persons whom we have allowed to be excluded, and who, by the joint action of local authorities and the assessors, are excluded from the actual and ordinary payment of rates; without their own consent, and without, indeed, their hearing anything about the matter. I do not at all mean to say that any injury is inflicted upon them by this course; it is even probable that they greatly benefit by the fact, but still they are excluded. Under these circumstances we promise them the franchise, and we say we will give them every facility, and how do we begin? Why, in the first place, we impose upon them every restraint borne by the present compound-householders; and I have already pointed out in general terms—I have not been able to count up the units, and therefore I do not pretend to give them with exactitude—but I have already pointed out what I believe to be perfectly undeniable, that so far as regards the personal action of the voter the present restraints upon compound-householders are an effectual bar. I call that an effectual bar which excludes 99 or 98 per cent; for I do not believe it is less than 98 of all persons it operates on. So the right hon. Gentleman, in his desire to give the compound-householder every facility for obtaining the franchise, begins with this restraint, but he does not stop there. In this memorable clause—the 34th clause—he introduces this proviso—

> "Provided the rates to be paid by such occupier in order to entitle him to the franchise, shall be rates calculated on the full rateable value of the premises."

I believe I may fairly take that clause as referring only to the new compound-householders below £10.

Now, Sir, I do not wish to take any polemical advantage. I speak the strict and literal truth, and I will proceed to vindicate it, when I say that by that clause you fine the new compound-householder below £10 if he attempts to obtain the franchise. I do not ask you to accept that proposition without further examination and proof, for it is a grave one, and it goes to the very root of the Bill. It affects 500,000 out of the 700,000 who, according to the right hon. Gentleman, are to be enfranchised. The House will observe, after setting aside the extremely rare cases—cases, indeed, never heard of, I believe — when the landlord's rate is in arrear, that the compound-householder of £10 and upwards is to be amerced in point of time and trouble only in endeavouring to obtain his enfranchisement; because the construction of the law is, that if the 75 per cent, or the composition, whatever it is, has been paid by the landlord the rate has then been paid in full, and consequently there remains nothing for the compound-householder to pay. But when we come to the new compound-householder below £10, he has to pay his rates in full. Let us see what is the meaning of that phrase. I have received information which I have not had time to test, but which appears to be given in a form so distinct that it can easily be tested, and it certainly is of great importance. The case of Dodd, in the parish of Bilston, was heard in the Queen's Bench on the 8th of November, 1865, and the report is to be found in 13 *Law Times*, 589. The parish officer had taken in the case of compound-householders fifty-two times the weekly rent as a basis or first quantity for estimating, under the Parochial Assessment Act, the gross estimated rental free and clear from rates and taxes. The question was—to make this quantity free from rates, must you deduct the full or only the compound rate? The Court held that you must deduct the full rate. The Court held that the full rate had already been paid. The Court then held that the compound-householder had already paid the full rate. We shall not, I suppose, be told—indeed, we cannot be told—that the owners of compound houses obtain higher rents than the owners of non-compound houses, but that they are satisfied with a less profit. Therefore, according to the dictum of the Court, the compound-householder had already paid his rate, and that which he has already paid once you call upon him to pay over again before he is entitled to the franchise. ["No, no!"] Wait a moment; I have not done yet. I should have been more strictly accurate if I had said a part of what he has already paid, you call upon him to pay over again before he can be enfranchised. And what is that part? Perhaps you think it amounts to 25 per cent. Well, Sir, even if it were 25 per cent it is an extremely hard case—hard in principle and hard in practice — that he should have to pay over again one-quarter of what he has paid already in order to get the franchise. But what is the real case with regard to a large portion of the compositions of the country? It is stated that the deduction made to the landlord amounts in many cases not to 25 but to 50 per cent, and the deduction of 50 per cent is made upon the principle that the composition money is intended to cover full and empty houses alike. So that when the compound-householder comes before the parochial officer or the revising barister to make his claim, he has to pay 50 per cent more, 50 per cent having been already paid. He has to pay the full rate, according to the decision of the Court, over again; and consequently he has to pay not only for his own house, but also for the house inhabited, or which may be inhabited, by his neighbour, and in which he possesses no interest whatever. ["No, no!"] That is the strict and literal truth. ["No, no!"] What part of it is not true? There can be no doubt these compositions in many cases amount to 50 per cent; nor can there be any doubt that the rate is calculated so as to include full and empty houses alike. Is there, then, any doubt that the compound-householder would be called upon to pay the full rateable value of the premises, which would be exactly twice that which had been paid? There can be no doubt whatever; and consequently in every one of those cases, which would be numbered by tens, and twenties, and fifties of thousands throughout the country, the compound-householder would have to make double his accustomed payment. ["No, no!"] Perhaps the hon. Gentleman who disputes this statement will explain in what respect it is untrue?

Mr. GREENE said, he had no objection to explain, if he was allowed to do so. It was evident that in making the composition the proprietor of cottages, having to pay rates on empty and full houses alike, took this fact into consideration, and in the shape of actual rent charged his tenant more than he would otherwise have done if the occupier paid the rates himself.

Colonel WILSON-PATTEN said, he rose to order.

Mr. GLADSTONE: The proposition is one of extreme importance, and I thought the hon. Gentleman who called "No, no!" would point out to me some error which I had committed. I will not, however, dwell any longer upon this point. I am content if my statement is intelligible to the House. What I say is, that in cases where the composition is 50 per cent it is calculated on empty and full houses alike, and that the householder in attempting to obtain the franchise will be fined to the extent of 50 per cent for so doing. And before leaving this point I wish it to be understood that I do not mean to say that in all cases this composition amounts to 50 per cent, although it does amount to that percentage in a great many cases. In many cases it is 25 per cent, in some 33, in general it varies between 25 and 50. In 50, I say, it amounts to the doubling of the rate, in 25 to less, but the principle of fine is the same —a man is in every case, according to the judgment of the law, called upon to pay over again that which he has paid already. In answer to an inquiry from me the other evening, the right hon. Gentleman said that he could not deal with exceptional cases. But what, then, is the rule, and what is the exception? The exceptional cases are twice as many as the cases under the rule according to the statement of the right hon. Gentleman himself. By his statement there are between 400,000 and 500,000 of these compound-householders below £10, and between 200,000 and 300,000 of those above £10; and now he tells me he provides for the rule—that is to say, for the 300,000—and he cannot provide for the exception, the 500,000, or about double the number.

The CHANCELLOR of the EXCHEQUER: I never said any such thing.

Mr. GLADSTONE: He said, I think, he would not undertake to provide for exceptional cases.

The CHANCELLOR of the EXCHEQUER: I have no recollection of having said so.

Mr. GLADSTONE: The right hon. Gentleman says that he does not remember having made such a statement; but I listened to him very attentively, and I must say that I think his memory deceives him. Whether he said so or not, however, the fact still remains that the compound-householders below £10 upon whom this restraint and this fine are placed, are two-thirds of the whole body, while it is only the one-third above £10 to whom he shows the slightest indulgence. The Government, I think, has been led into a great error in dealing with compound-householders. They know very well that compound-householders living in houses above £10 rent are, with certain exceptions, at present excluded from the franchise, and I think the Government must have felt it would be safe to deal with compound-householders who pay less than £10 rent in a somewhat similar manner; but permit me to say that proportions ought to be taken into account.

I have already shown that the Government desire to introduce the element of pecuniary amercement to stop the way of householders below £10.

Now, let us look at the question of proportion. At present, in constituencies where compounders of £10 or £20 rental are to be found, discontent at their position with reference to the franchise largely prevails. It is a festering sore, though it is true the country is not actually disturbed by their discontent, because such constituencies are few in number and the compounders form a very small proportion of the electors. At present, perhaps, not more than 50,000 compounders are excluded, and they are distributed over a very small number of boroughs; thus the proportion of compound-householders now excluded is very small compared with the body of electors, whereas the proportion of compound-householders below £10 is very great. I ask, then, whether you can say to the 750,000 compound-householders who pay less than £10 rent, "We will arbitrarily take one in every three of you, and arbitrarily exclude two in every three of you," and whether you can then be under the delusion that you are settling the question of Parliamentary Reform? What I contend upon this subject is, that not the payment of rates, but the condition of a man in life, his presumable character, his presumable amount of education, and his presumable amount of independence, are the criteria which you should employ in order to ascertain who should have the franchise.

And now, Sir, I may venture to explain more clearly than I did upon a former evening a suggestion which I ventured to throw out, and respecting which I am very desirous not to be misunderstood, as I fear I then was by the right hon. Gentleman (Mr. Henley). I think the Government has committed a fundamental error—even assuming the test of personal rating to be the true test—in adopting our present system of law in relation to personal rating for the basis of their measure. Our rating laws are infinitely various in different districts, and the results would be contradictory in the extreme. They were never intended to be placed in contact with the question of political franchises. In the case of local Acts they represent nothing but the will and view of the local community, and in cases where the Small Tenement Act is in force—and it is in force in the large majority of instances—it can be brought into a parish or turned out by the simple will of the parishioners. I do not wish to use strong expressions; but I say it is impossible to find anything more unfitted than personal payment of rates for the basis and limiting boundary of a Parliamentary franchise when you say, and say justly, that the limiting boundary ought to be a firm and solid one—such a one as you hope will endure. It seems to me that if you employ the condition of personal rating—and I do not deny that its employment would give great satisfaction to many, and be very useful—you must employ it quite apart from this power of voluntary legislation. If you permit this voluntary legislation to exist I defy you to calculate the effect of your franchise, or build it on anything approaching a sure basis. If I use the term "defy" it is merely to express how positive I am of the conclusions I have arrived at. I have stated to many persons during the past ten days that the personal rating clauses, as announced by the Government, cannot stand. You may go into Committee upon them, but it is impossible to accept them. This you may do, however. Leaving the rating Acts to operate precisely as they stand, you might fix a certain figure of rateable value, not touching personal rates at all, but leaving them as they stand. You might adopt a figure of rateable value, and by an enactment uniform and running through the whole country, say that below that figure no occupier shall be liable to the payment of rates; that below that figure no man shall enjoy the franchise, but that above that figure every man shall enjoy it. I am very desirous of being understood by the right hon. Gentleman, because if I am not I fear I shall have little chance of being understood by any other hon. Member.

Mr. HENLEY: Does your proposition include payment of rates, as well as being rated?

Mr. GLADSTONE: I have spoken with regard to the question of personal rating; the question of payment of rates I take to be quite a separate question, and not of the same degree of importance; I am not quite sure what importance to attach to the question of payment of rates with regard to a compound-householder, of, say, £15 value. If the right hon. Gentleman asks me whether the compounder should be subject to the payment of rates, I say, No, certainly not. If he asks me whether the ratepaying-householder should be subject to the payment of rates as he is now, I say that is not of primary importance. I was a party to the proposal to abolish the ratepaying clauses, not considering it of primary importance. The suggestion I have made, however, is of the very greatest importance. If it were adopted we should be really erecting personal rating into something that might be called a principle. But if I made personal rating a principle I must say that I would not, to gain popularity, appear to promise the franchise, and then, by regulations proceeding from my mere will and pleasure, put obstacles in the way of the newly enfranchised to such an extent as by insuperable barriers to prevent its attainment. If a man be fit to have the franchise, give it him so that he can use it in the easiest and simplest manner. If he be not fit to have the franchise do not pretend to give it to him absolutely, while you secretly hope he will be unable to use it from the restrictions with which it is encumbered. If you undertake the obligation fulfil it. If all are not to be enfranchised, the proper division of the population into electors and non-electors is between class and class. Some classes have more independence; others, unhappily, have less. Some classes have more education; others, unhappily, have less. Some of us may live to see the day when want of education will no longer be a reproach to any class in this country, or a legitimate bar to the enjoyment of the franchise. But in the present state of society, while some are dependent and some ignorant, it is right to make some distinction; and not invest all with the title to the political franchise. But let us be upright in our dealings; let us understand the lines we draw; and let us especially renounce large nominal franchises, which by our regulations and restrictions we so encumber that we actually take back again.

It has been said in this House, and out of it, that the £6 or £8 compounder cannot be a very good elector unless he is willing to pay a few shillings for the franchise. But, in the first place, I am afraid he would have to pay those few shillings every year. In the second place, in the case of electors whose payment would be 50 per cent of the rate, the shillings would not be so very few. In the third place, we must not forget what happened at the time of the Reform Act. The Reform Act, which dealt with none who paid less than £10 in boroughs and £50 in counties, exacted a payment of a shilling from enfranchised persons before they could be placed on the register. The country morally rose in arms against that payment, and you were obliged to repeal the clause enacting it within a short time after passing the Act. Yet you now propose to require a far heavier payment from householders who pay less even than £10 rent. And your argument in support of the proposition is, that if they will not pay this fee they cannot be very anxious to have the franchise. I think I can see the idea of the Government, and if it were not confuted by facts, I should be far from saying it is a very bad idea. They want legislative difficulties to perform an office something like what Mr. Darwin calls "natural selection." The finest specimen of the British citizen in the humbler orders of society is to be admitted, and he is to be tested by difficulty. We have heard from our school-days upwards that difficulty is the nurse of excellence. The struggles to overcome difficulties form the most interesting biographies, and it is thought we can apply this test to the community, and say to those 500,000 householders below £10, who have unfortunately been compelled to compound for their rates, "The good are to be selected from among you by ascertaining who can overcome the difficulties with which we have surrounded you. If you are inclined to give up the state of the law, and willing to go before the parish collector or overseer, and you are content to pay to the extent of 25 or 50 per cent of your two years' back rates, then you will have proved yourself the select of the lower orders, fit for the franchise, and a testimony to the excellence of the system of selection by difficulties." I am myself inclined to say that such a man is worthy of the franchise, and worthy of a great deal more than the franchise. But that, Sir, is not the stuff of which human nature at large is made. It is too severe to require the spirit of a hero and a martyr from a man earning 4*s*. or 5*s*. a day as the condition of his obtaining the privileges of the suffrage. It is too much to ask of him. But is that the practical operation of the present law? No; you do not effect this natural selection or anything of the kind. But what you do is this—You allow your parish officers to take up the matter by hundreds and thousands. You allow the registration agents to come down and pay the fine to which I have adverted. I know that the Government, with a commendable intention, have said that the payment of rates for a man shall be bribery. Why, Sir, a more well intended, but at the same time more nugatory, provision than that was never introduced into an Act of Parliament. How are you to establish a corrupt intention in respect to the payment of a man's rates? You find it difficult enough now, when a man gives his vote for a bribe, to establish a corrupt intention, and even when it is established you very rarely get the penalty enforced. But to imagine that you can put a stop to a practice of this kind by calling it bribery to pay a man's rates to enable him to vote, why, you might just as well think of putting a stop to petty larceny by enacting capital punishment against it. The thing is totally impossible. Let me give the House an illustration of how the law works at present, and the House will judge how it will work when this pecuniary fine is superadded. It is the case of the parish of All Saints, Poplar, in the borough of the Tower Hamlets. It is given in the blue book of last year. In that parish there are 4,052 houses, for which the owners are rated, and it is estimated that one-fifth of them are occupied by women. Only twenty-three of the occupiers of these houses are on the register. I gave an allowance of 1 or 2 per cent as a maximum of the compound houses that got on the register; but the proportion of compound-householders who have got on the register in this case is about ½ per cent. The vestry clerk of the parish states that the average annual number of claims to be put upon the register under Sir William Clay's Act has not, during the last ten years, exceeded twenty. Let us see what becomes of these claims. There was not a single claim in 1865; and when persons have claimed to be put on the register they have failed to appear before the Revising Barrister to support their claims. The vestry clerk adds—

> "I am of opinion that if all the persons who are entitled (under Sir William Clay's Act) to be put upon the register were to make their claim and attend to establish it, the numbers on the register would be increased threefold—namely, from 1,450 to 4,350; but the usual reply I receive when I inform the claimants that they will have to attend the Revising Barrister's Court is, 'Oh! I am not going to lose my time to go there. If you can't put me on the register I shall not trouble myself any further.'"

That is the way in which the law works; and I have taken that body of 4,000 persons because it will afford, after all, a very fair average from which to judge. Those heroic persons whom we might, by an effort of imagination, conceive going through all the pains and labour and charge which I have described do not get upon the register at all. Sometimes a benevolent parish officer, sometimes an active registration agent, performs these functions for them. And therefore what we come to is this—that, as a general rule, these people will be excluded. In particular instances they will be admitted. But whether they are excluded, or whether they are admitted, they will be admitted or excluded wholesale, and not by the principle of selection which you have in view. Now, I want to know what is the answer to this case, derived from the facts, and from the facts of our experience as they stand. Sir, all this appears to me to be grave matter for the consideration of the House. The point which I am most anxious to bring to the minds of hon. Members is this—the utter hopelessness of any idea of settling and fixing this question by such a measure as the present. You may attain a settlement, you may attain a fixity, by drawing a line between class and class if it be reasonably drawn. But if you choose to say that you will reject all such bases of proceeding, and that you will make selections as arbitrary as if they were made by lot between members of the same class, is it not plain what will happen? The excluded, if they are strong enough, will never cease to agitate until they have broken down the artificial wall of separation, and can rush in *en masse*.

And now let us consider the light that is thrown upon this important question by the Returns printed on Saturday last; and I hope I shall not again have misapprehended the words of the right hon. Gentleman opposite (the Chancellor of the Exchequer). About a fortnight or ten days ago I asked for this Return, and I have to thank two of the right hon. Gentlemen opposite for the diligence used in preparing and producing it. It is a most important Return—a Return which, unless I am much mistaken, contains facts and figures which may leave it open to Her Majesty's Government to choose some other method for proceeding on the basis of personal rating, but which renders this class of their proposals totally and absolutely hopeless. The knowledge of what is contained in this Return was not on last Friday week in possession of the Government. The right hon. Gentleman the Chancellor of the Exchequer, when I asked him, said he thought it could be given; but that his right hon. Friend near him (Mr. Gathorne Hardy) doubted if it could be so given.

THE CHANCELLOR OF THE EXCHEQUER: I said I would inquire of my right hon. Friend (Mr. Gathorne Hardy) whether they could be given. I thought they might be given in the aggregate.

MR. GLADSTONE: I knew the aggregates could be given, and that they were in the right hon. Gentleman's possession; but that was not what I wanted. "*Dolus latet in generalibus.*" I may say "*dolus latet in 'totalibus.'*" Error lurks in totals, and it is upon the exhibition of the minute particulars and practical working of this plan that I venture—I may be bold, I may be rash in saying so—to think that it cannot become law or receive the sanction of this House. I go, then, to particulars; and those particulars which, in my judgment, are so decisive of the case, were not in the possession of Her Majesty's Government on Friday week, when I put my Question to the right hon. Gentleman. Now, from this Return, in the first place, that appears which might have been made out by hon. Members for themselves with considerable difficulty from previous Returns—namely, that as regards London, with its 3,000,000 of people—London containing one-third of the entire borough population of the country—this Bill is a nullity. I do not count the enfranchisement of a few tens or even of a few hundreds among the 3,000,000 of this metropolis as worthy of notice. I will not enter into the details of the case as respects the metropolitan constituencies. That I shall leave to others who may follow me. But as regards London, I repeat, this Bill is practically a nullity, and that for two reasons. If you wish to enfranchise people living in London, first of all it may be asked, is there good ground for doing it? It is sometimes said by those who see that the metropolitan constituencies now count their voters by many thousands, that after all there is no great object in increasing such constituencies. But that is not quite a correct way of looking at the subject. The people who inhabit this metropolis are certainly not inferior in intelligence to the average of the rest of the country. London contains the flower of the working men of England, for when a good workman in the provinces wishes to rise in his calling, where does he go? To London. And here, where all these persons are associated and collected together, you have at this moment, I believe, not a larger, but a smaller, proportion of the aggregate population enfranchised than you have on an average of the boroughs in the rest of the kingdom. But if you do not intend to pass over all these 3,000,000 of inhabitants of this metropolis, how are you to proceed? There are two great barriers which prevent the enfranchisement of the population of London. The one is the state of the law as regards lodgers; the other is the state of the law as regards compound-householders. But these barriers you intend to leave without the smallest attempt at removal. This Bill entirely passes over the metropolis with its 3,000,000 out of the whole 9,000,000 of our borough population. I ask seriously any hon. Gentleman in this House, be his party what it may—any hon. Gentleman who coincides in that view which I ventured to describe at the outset of my remarks as the general opinion—namely, that there ought to be a settlement of this question by a liberal enfranchisement—I ask, is it possible to have a settlement by a liberal enfranchisement if you begin by practically excluding from the scope of your proposed enfranchisement the whole of this metropolis?

Now, after having commended this Return of Saturday last, I am going to impeach it, and to warn hon. Members that it represents the figures of the case in a manner much too favourable to the proposals of the Government. By too favourable, I mean that it greatly overstates the numbers to be enfranchised—not from any fault of the Government, or from the fault of any officer of the Government, but from this fact, that I believe there is a class of cases, more than one class, and they are very important classes of cases, where the rates of the occupiers are paid by the owners, but which do not appear in the Return.

I am exceedingly obliged to the House for its patience, and I will not trespass upon it by again going over the wearisome subject of the compound-householders. I have done with them. But I wish to point out that there is a very important supplement to that very loose body of compound-householders, of which no notice has been taken in these debates. The right hon. Gentleman the Chancellor of the Exchequer on Monday last said that there are 237,000 householders under £10 who are rated and who pay their own rates, and who would at once be qualified under this Bill. *Primâ facie* from this paper it is so; but I can show you that in some important respects that is not accurate. It was my business last year to pay some attention to this matter; and I confess I wish it had been the business of the Government to do the same. We are in this position. We are now making a piece of political furniture which we want to be steady and firm, and we have to adapt it to a great number of local inequalities, which inequalities, I believe, there is not a man in the House thoroughly aware of. Take the case of Liverpool. If you look to No. 2 of those Returns issued on Saturday, you will find that Liverpool figures for a very respectable amount of the number of constituents. There are 16,347 persons who are represented by this Return as being within the beneficent scope of the enfranchising provisions of the right hon. Gentleman's Bill. But what is the fact? That in Liverpool there are scarcely any such persons. I will not say there are not a mere handful, but I will say that this 16,347 is a figure totally and absolutely delusive. The Members for Liverpool are here. My hon. Friend the Member for South Lancashire is here. He knows the facts as well as any man living, and he will be able to correct me if I am wrong. The practice in Liverpool is this. With regard to houses under £15 rental the rates are habitually paid by the owners—I speak of the parish of Liverpool—not by direct provision of law, but by arrangement between the owners and the parish authorities. There is not one of the occupiers of those houses who would not be in the position of a compound-householder, and therefore prevented from getting the benefit of the proposed franchise; or they would be in a still worse position, because I very much doubt if any of them could legally acquire a vote even if they were willing to take all the steps and go through all the process provided for compound-householders. The case of Liverpool is the largest, but there are many others. There are many other towns in which a voluntary arrangement of that character exists, and in which the occupier would be ousted from the franchise. Will the right hon. Gentleman, therefore, abide by the declaration that 237,000 persons would be enfranchised by this portion of the Bill?

Now I want to call attention to another class. I wrote to one of the rural parishes to know what is the practice there; because I suspected that in those parishes the Bill would be extremely likely to establish something very near universal suffrage in the most inexpedient form that could be suggested. The answer was to this effect—and really I am rather surprised that I should not myself have known what it would be in consequence of the arrangements which exist throughout the country. The custom is that when a farm is let the cottages on the farm are also let to the farmer, and there is but one rating for farm land, farm house, and farm cottages. Now, the persons who live in these cottages are among the male occupiers included in the numbers whom the right hon. Gentleman promises to enfranchise. They are not even compound-householders. In their case there is no composition at all. That implies previous rating; but here there is no previous rating of the small houses. They are thrown in a lump with the farm and farm-house into one rating. It is clear that all this class of occupiers must be deducted from the estimate of the right hon. Gentleman. I beg to assure the House, and I think I am as conversant as most men with these figures, that by this household suffrage scheme, you would enfranchise only about 100,000 or 120,000 persons. It was the veriest mouthful beyond what was offeredby that £6 Franchise Bill which nobody seems to have any sympathy with, or care a farthing about, except myself. The distinction you seek to draw between composition ratepayers below £10 and ratepaying occupiers cannot be maintained; and if you want to bring in all personal ratepayers it must be by some other method. Passing to another point, I wish to point out to the House how astonishingly, I might say how ludicrously, the Bill would operate. There are fifty-seven towns put down as under the operation of the Small Tenements Act, and I want to show what its operation would be in those fifty-seven towns.

Now, remember, if we look for a settlement of this question it can only be on the basis of a liberal franchise. An extravagant franchise, flooding some towns with thousands and hundreds of thousands of voters, and only adding a few in other towns, will not settle it. If we want to do it we must have such an enfranchisement as will be felt to be liberal throughout the boroughs of the country generally —I do not say in every borough. This I think is a moderate proposition. I say, if you want a settlement of the Reform question, you cannot settle it by a measure which floods here and floods there while it dries up in other places. But this is how the Bill of the Government will act in towns under the Small Tenements Act. I will compare the number of ratepaying householders under £10 who will have the franchise with the number of non-ratepaying householders who will be excluded, unless some benevolent angel in the shape of an electioneering agent or a parish officer gives him a chance. In Abingdon, 35 would be qualified; 574 excluded. In Calne, 25 qualified; 695 excluded. In Carlisle, 406 qualified ; 3,571 excluded. In Chippenham, 20 qualified; 727 excluded. In Christchurch, 41 qualified; 523 excluded. In Devizes, 55 qualified; 487 excluded. In Dudley, a large town, in which there are many men of mental as well as of commercial activity, 232 qualified; 6,315 excluded. In Evesham, 40 qualified; 464 excluded. In Gateshead, 173 qualified; 557 excluded. I need not go through the whole of the towns; but the total number qualified in all the Parliamentary boroughs in which the Small Tenements Act is in operation will be 25,064, while the number excluded will be 139,377. You see the effect is that where a few scores would be qualified, thousands would be disqualified. Now, that would be a state of things which could not continue to exist even if you were to make it law. I will not go further. I have taken the most remarkable instances from the earlier letters of the alphabet, and these show how the plan works, the result for all the towns in which the Small Tenements Act is in operation being that by a ludicrous operation the Bill qualifies 25,064, while it excludes 139,377. Will the question be settled in this way? Will it be settled by admitting a few scores to the franchise while the thousands are excluded? I now come to the towns in which the Small Tenements Act is in partial operation. There are 98 boroughs in which this is the case; and if we take the totals they are not so unreasonable. The number admitted will be 106,467, while the number excluded will be 249,472. But when we come to the particulars what do we find? That the 16,347 to whom I have already referred as being put down for Liverpool, but who, as my hon. Friend the Member for South Lancashire knows, have no real existence, form no small proportion of the entire number which are to be admitted in those boroughs. In Andover, the number admitted will be 40; the number excluded, 623. In Aylesbury, admitted, 446; excluded, 3,514. In Barnstaple, admitted, 151; excluded, 1,047. In Bridgewater, admitted, 56; excluded, 1,234. In Frome, 38 will be qualified, while 1,363 will be excluded. But let me call the attention of the House to the case of Kingston-upon-Hull. Under the provisions of this Bill the gross number of 64 will become qualified there; while the number excluded as being compound-householders will be 12,026. Is it possible that any one on the Treasury Bench can get up in his place and recommend these clauses relating to the compound-householders with all their anomalies? These clauses are postponed. Why, I know not. I presume there must be some strong argument for their being so postponed; but I now ask whether any Gentleman on the Treasury Bench will get up and recommend the adoption of such provisions as the settlement of this question.

And, Sir, here arises a point of the utmost importance which I have not yet touched, but which I believe is of itself a conclusive objection to the Bill of the right hon. Gentleman. I am certain he never can have taken the pains to inquire into the particulars on which his estimate is based. I have now been dealing with the 98 boroughs in which the Small Tenements Act is in operation, and the towns where it is in partial operation, or where there are local Acts of an analogous nature; and my objection to the Bill is that, owing to its ludicrously small effects in qualifying as compared with its operation in excluding, it cannot be called a settlement of the question. You cannot expect the people in 50 or 60 of these boroughs to admit that it is settled, seeing its inappreciable effect as regards them.

But I now come to the examination of another question. In Greenwich, which is one of those 98 boroughs, 3,497 would be admissible, while 2,069 would be excluded. In this case the numbers are in more equal proportion, and there is *primâ facie* no case against the scheme. But now, as we have been looking into the anatomy of the country, town by town, let us look into the anatomy of each town; and, I ask, how are these numbers, in Greenwich, 3,500 in round numbers, distributed? Is it an equal distribution? Not at all. It is a distribution in parishes. It is a distribution divided by one side of the street from the other. On one side of a street, according to the plan of the Government, you are to have what is very nearly manhood suffrage; and on the other side of a street you are going to have an £8 rental franchise. I use that term because, speaking generally, the limit of the Small Tenements Act is as nearly as possible identical with an £8 franchise. Taking the whole country over, the operation of the Small Tenements Act, which is a £6 rating, is as nearly as possible identical in its effects with an £8 rental franchise; because that Act does not apply solely to tenements under £6, but likewise includes tenements which are rated at the figure of £6. In every one, therefore, of these 98 towns, half the boroughs in the country, there will be a considerable number enfranchised and a considerable number not enfranchised. You must not for a moment suppose that that shows the fair and equal operation of the Act in those towns. On the contrary, it is in those towns that the operation of the Bill will be most unequal, and that the inequality will be almost intolerable. If the right hon. Gentleman opposite, the President of the Poor Law Board (Mr. Gathorne Hardy), is about to follow me, I ask him this distinct question—whether he believes that you can divide 98 towns in this country parish by parish, and in one set of parishes establish household suffrage, coming near to manhood suffrage, and in the other set of parishes, in the very same towns, establish an £8 rental suffrage, and can have that accepted by the country as a settlement of the question?

Sir, I am sorry to say I have not quite done yet, for I must still look at the towns which have local Acts. The list is a very short one, but it is not unimportant, for those towns contain 329,000 male occupiers, or very nearly one-fourth of the whole, and how does the case stand with respect to these towns? In Bewdley you will enfranchise six persons as ratepaying householders, and you will exclude 1,080. In Birmingham the number you will enfranchise will be 2,300; the number you will exclude will be 36,177. In Brighton you will exclude 2,553, and you will enfranchise 14. Is that a settlement of the question of Reform? In Kidderminster you will exclude 2,343; you will enfranchise 24. I really do not know how to argue upon such figures. If they do not of themselves carry conviction with them when they are stated, it is totally impossible to dwell upon them with the view of showing how impossible it is to entertain proposals of a nature so extraordinary. I am bound to give Her Majesty's Government credit for having been in ignorance of these facts at the time when they adopted their plan, because it is really otherwise impossible that such proposals could have been submitted to the House. What appears as a whole, taking the towns with local Acts, is, that under this Bill for granting household suffrage the number of persons who are ratepayers, and who *primâ facie* would be entitled to the suffrage, is 10,638, while those who are excluded as non-ratepayers is 87,744, and the expectation is that those 87,744 will sit contentedly down, and accept as a settlement of the question a measure which admits only the handful who happen to be ratepayers.

Then comes the case of the open towns, where there is no restriction whatever in the shape of compounding Acts. These ought, by rights, to be the most virtuous towns, for these are the towns in which the maxim that "England expects every man to do his duty" is literally acted upon. Now, if we look at these towns the result is very different indeed. I will show the House that, in a vast number of towns, of all the persons renting houses of under £10 clear annual value, not one-fifth, not one-tenth, and, in many cases, not one-twentieth, will be admitted to the suffrage as ratepaying householders. Take Oldham. I find that the present number qualified is 3,300, and you will add 11,800. In Rochdale the present number is 1,858, and there will be added 5,500. At Sheffield there are 10,000, and there will be added 28,000. [Mr. Hadfield: Hear, hear!] I have no doubt my hon. Friend the Member for Sheffield is in a state of rapture at the prospect of shaking hands with 28,000 additional voters every time he makes a canvass of the town. But I believe his generous nature will recoil from such a boon so long as his neighbours are excluded from the franchise. In Stockport, to the present number of 1,695, there will be added 7,257. The large figures which I have been quoting are precisely the same classes of men as those which make up the numbers of compound-householders. Of course if the vestry, influenced by the persons of property who command it, choose to bring in the Small Tenements Act all these thousands will disappear, the proportion of new voters assuming the same scanty and meagre dimensions as in the other case. Then comes, lastly, Stoke-upon-Trent, where to the present 3,419 are added 15,000.

What the House has with the greatest possible kindness allowed me to state in detail is briefly this—In the first place, when I look at this Bill with regard to the enfranchising part of it, it appears to me to profess to admit a principle of needless breadth. But, in admitting that principle, I must be content, like other hon. Members, to abide by the full, honest, equal, impartial, unrestrained application of that principle. I then find that principle defeated in its application by these provisions, the nature of which I have endeavoured to explain, which cut off more than two-thirds of the whole number that we have seemingly promised to enfranchise, and, not only cutting off more than two-thirds, but distributing that proportion through the various towns in a manner that aggravates the inequality tenfold, makes it utterly intolerable, and lays the certain foundations of a new agitation. It is therefore utterly at variance with the faintest idea of settling and adjusting this long-contested question. I am bound to say that I think the quantity of enfranchisement proposed by Her Majesty's Government insufficient—I mean the enfranchisement under £10. I do not think the enfranchisement of 120,000 persons is such an enfranchisement as can settle this question, or ought to settle it. We proposed last year a measure which would have enfranchised 200,000, and I think that was a moderate proposal. I do not advocate sweeping and violent measures, but I think that that proposal was moderate; and I, for one, cannot accede to what is proposed by the right hon. Gentleman opposite. I am aware that he calls it an enfranchisement of 237,000; but he must know that the introduction of new modes of statement in the statistics makes it exceedingly incomplete, because if we change the basis of our computations the means of comparison are lost. From the right hon. Gentleman's 237,000 I make all the reductions that are required, and I am persuaded that 120,000 is a sufficient estimate of those whom his Bill will enfranchise as rate-paying-householders, setting aside those whom he excludes by the barriers that are placed in the way of non-ratepaying householders getting upon the register. Moreover, I must own I have not only an objection to the quantity of the enfranchisement as insufficient; but I think the quality is defective. I do not wish to give any offence to my hon. Friend the Member for Stoke-upon-Trent (Mr. Beresford Hope)—for I believe there are few portions of the labouring class more intelligent than those whom he represents, and they have shown their intelligence, as far as they have the power, by returning him to this House—but in the lower strata of the 15,000 who are to be enfranchised in that constituency there will surely be a considerable number of persons who have had but limited educational advantages, who earn but small wages, and who are exceedingly dependent upon their employers.

Now, if I am to make a choice between person and person for enfranchisement, I say give me the best, the most intelligent, the most independent that I can discover among the working classes, and do not go in this indiscriminate manner and gather up whole masses of the population, and then when people are alarmed say, "Oh! we only do that in a few towns; in the mass you will see that we enfranchise only a small number." Above all, we ought not to establish artificial distinctions among men belonging to the same class. That is a practice wholly new to the British Constitution. I admit that in the present constituencies you have a distinction; because, since 1832, the practice of compounding for rates has grown up, and consequently a distinction has arisen which it is our business to recognise and adjust, but not to establish into a law. I admit that the old Constitution of the country, before 1832, recognised many rights of franchise in different towns, but nowhere did it make the smallest difference as to facility and amount of enfranchisement between those who were called upon in common to discharge a common duty in returning a representative to Parliament. That was the old principle of the Constitution. The right hon. Gentleman the Chancellor of the Exchequer has himself enshrined it in an expressive phrase where he says—"There was a noble equality, not of the man, but of the citizen, when called upon to discharge public duties." I ask the right hon. Gentleman to maintain that equality within the limits of the Constitution as the old principle, the safe principle, and the wise principle. I feel confident this House will not depart from it. But even if that principle were not old, and if it were not in other respects safe and wise, yet I should still think there was an absolute necessity of dealing equally with men in equal circumstances, if you wish to arrive at a settlement of this question, and not to give a premium to continued agitation. If, however, there be any man who desires to avert that settlement, and to secure the continuance of agitation, I would ask him whether his imagination could possibly suggest a more effectual means of attaining it than the introduction of this artificial inequality, and the distinguishing man from man, and separating man from man in regard to the enjoyment of the franchise, not by any of those differences caused by circumstances and education, which he might look upon as a dispensation of Providence, but by enactments adopted at the arbitrary will of Parliament, and which are as worthless as the paper upon which they are written?

Now, I wish to ask the right hon. Gentleman what assurances he can give us upon this subject, and first of all I will beg of him to be very explicit in his answer. ["Oh!"] I hope that he will be as explicit in his answer as his sense of public duty will permit. I mean to convey no taunt whatever by the use of these words. If it is thought that I do, hon. Gentlemen do not perceive my meaning, which is this—We have arrived at a stage when it is common and customary to decide the principle of a measure. We have been promised further explanations on the part of Her Majesty's Government.

Sir, I feel—and I feel very deeply—the responsibility of every Member of this House, and particularly my own responsibility. I know that we are bound to labour to obtain a speedy measure and a good measure. I know that the rejection of this Bill, or the setting up of another plan in lieu of it—unless such a course should be absolutely necessary—would be a great evil, because it would tend to retard that settlement which we all so much desire. I am therefore anxious to exhaust to the utmost the means of knowing whether, when in Committee on the Bill, we shall have any hope of bringing it to a satisfactory conclusion. It is merely on that ground that I address, or—if I may use the word—petition the right hon. Gentleman. The right hon. Gentleman is perfectly entitled, if he pleases, to rise in his place and to say, "I decline, until we are in Committee on the Bill, to tell you what I intend to do with regard even to the leading principles of the Bill." But the right hon. Gentleman would leave us in a very painful position with regard to the condition in which the question would then present itself; because I think I am not very far wrong in stating that a large proportion of Members of this House are of opinion that in every leading provision this Bill must undergo total, or at least substantial, alteration. Therefore, it is not the least by way of taunt that I ask the right hon. Gentleman to be explicit. It is that we may have our duty and our position clearly before us that I express earnestly and respectfully the hope that Her Majesty's Government may be disposed to give us, at all events on the most important and most difficult questions, a clear intimation of their intentions. The right hon. Gentleman was asked a Question to-night as to the time when he would propose that the House should go into Committee on the Bill, and he gave an answer which I heard with much satisfaction—to the effect that it was quite a mistake to suppose that the Government intended the material postponement of the Committee on the Bill. I presume that, even to-night, possibly, or at any rate within easy and moderate limits, this debate will be likely to terminate; and, if that be so, I venture to express a hope that we should go into Committee, or approach the main subject on the question that you do leave the Chair, some time in the course of next week, or one of the days at the disposal of the Government. If not, we, perhaps, should not be able to approach the subject satisfactorily till after Easter; and if we did not approach it till after Easter our difficulties would be most seriously aggravated, and the choice between proceeding with this Bill, or with a new Bill, would be greatly narrowed and restricted. I venture, therefore, to hope that we shall be informed by the Government whether, in the event of an early termination of this debate, their intention is to propose on Monday next, or on Thursday week—one of the two—that you, Sir, do leave the Chair for the purpose of our going into Committee on this Bill.

With regard to the enacting clauses, I hope it will not be thought that I have must undergo alteration, then I say, distinctly and decidedly, that the division ought to be taken now. For to such alterations as involve the leading principles of the Bill I, for one, am not at all prepared to agree. The right hon. Gentleman has given the Government credit for ignorance, for he says that if we had known its effect we never could have introduced the Bill. I am prepared, taking the figures, which are from documents already before the House, to advocate the Bill in its present form. The right hon. Gentleman has said that my right hon. Friend the Chancellor of the Exchequer stated on a former occasion that 236,000 persons would be added to the franchise. If the figures of the right hon. Gentleman opposite were correct, so far from 236,000 being added, the real addition would be nearly double that amount, because the right hon. Gentleman, in dealing with those figures, never made any of those reductions with are necessary to be made. He says—but I hardly know what I am to meet on this occasion. On one side I am told that I am a party to a revolutionary measure; and, on the other hand, I am told that the enfranchisement which we offer is entirely insufficient. We are told that the £7 rental franchise of last year, without the payment of rates, would have brought in men of an entirely different quality from those we now seek to bring in, and that we should give up our Bill at once on that statement. But I venture to say that if any hon. Member will take the trouble to look he will find that the £7 rental franchise would bring in men inferior in quality to those we seek to introduce by the personal payment of rates. The right hon. Gentleman says that we have no resting-place, and recommended the course he had proposed of dividing the voters into classes. But that is a principle which has been suggested over and over again, and it is because those measures which contained it have always failed that we have been obliged to look out for some new standing-place upon which a surer footing might be obtained. That standing-place has not been founded upon household suffrage, first given and then taken away, as assumed by the right hon. Gentleman. It never has been stated on this side of the House as household suffrage at all, but as a rating suffrage, accompanied by certain requirements as to residence. It is as different a thing as possible. It is not a household suffrage pure and simple, but a household suffrage based upon rating—the direct payment of rates. It is a franchise given in one shape and adhering together on one system. The right hon. Gentleman referred to the five different classes appearing in the Return, and first to the householders in towns where the Small Tenements Act is in operation. Some of these he says you admit, and some of them you exclude. But we do not exclude—that is a fallacy. In the column in which he says we admit them, he has not made the necessary deductions. [Mr. GLADSTONE: I did.] I did not understand the right hon. Gentleman to say so. But that is, in fact, the answer to the whole of the argument founded on this Return. The answer to the whole of this is that we propose a certain franchise which is open to everybody occupying a house and paying his own rates. Every person who choses to pay his own rates and does pay them, and who resides long enough, is entitled to be put on the register. The right hon. Gentleman then says, "Oh yes; but how is he to get on the register? Look at the burden which is imposed upon him; look at the difficulties under which he is placed." If that is so, let the right hon. Gentleman in Committee propose that the claim shall be more readily received, and a means established by which he should be more easily put upon the register. The right hon. Gentleman referred to the parish of All Saints, Poplar, where he says a large number would be excluded. But why did he not also refer to another parish in the neighbourhood, where nearly 4,000 persons had got themselves put upon the rate book? The right hon. Gentleman says that by this Bill there would be only about 120,000 persons admitted to the franchise. Now, I am content to take the figures of the right hon. Gentleman; but there would ultimately be a considerably greater number than that. [Mr. GLADSTONE: Under £10?] Yes; under £10. Hon. Members are aware that there are numbers of persons rated over £10 who do not qualify for the franchise. Of course, there would be a still greater number of persons rated under £10 who would not entitle themselves to the privilege, inasmuch as it would be accompanied by a longer period of residence and the payment of rates. The right hon. Gentleman declares that, under what we call household suffrage, only 120,000 persons would be admitted. I must reply to that observation that we never called our proposal household suffrage, and never intended that it should be so called. The right hon. Gentleman then proceeded to compare a place like Liverpool with a country borough. Now, as I understood his objection the other day in respect to country boroughs, it was that we were going to admit to the franchise persons who were perfectly unfit for it, and who, living on small rural properties, were not in a position of independence. But the objection taken to-day is in the opposite direction; and the right hon. Gentleman says that he finds on inquiry that there are numbers of persons absolutely excluded because cottages are let with farms. That objection only applies to boroughs having a large margin of country district. Again, the right hon. Gentleman stated that the Bill would introduce nearly household suffrage in those boroughs were it not that there are certain checks preventing that result arising out of the mode in which property is dealt with. The answer to that statement is, that if the persons in those boroughs choose to avail themselves of the right to be placed on the rate book they will be entitled to the franchise, and if they do not place themselves on the rate book they will not be entitled to the franchise. That provision will act as a very considerable check in many cases, and it was meant so to act. Let me not be misunderstood. It was meant to find out the persons fitted for the franchise by their participation in the burdens borne by their fellow-citizens. That would be the class of persons selected, and not without reason. A man living from hand to mouth, and who neglects to put by something for the purpose of paying his rates, will be excluded; but the man who puts by money for the purpose of meeting the demand for the payment of rates, the careful, the saving, the truly independent man, will be admitted to the most important privilege of the Constitution. But the right hon. Gentleman, contradicting his previous arguments, complains that we are going to bring in the lowest class of the population as voters. Here, I think, the right hon. Gentleman the Member for Calne (Mr. Lowe) may congratulate himself on finding a supporter of that dictum of his which has of late been so much paraded throughout the country; because the right hon. Gentleman (Mr. Gladstone) says now that the lowest class are to be admitted to this franchise—a class which would be peculiarly open to corrupt influences, and which had no real claim to such a favour.

MR. GLADSTONE: I said no such thing.

MR. GATHORNE HARDY: The right hon. Gentleman declares that he said no such thing. But he stated towards the close of his speech, as well as in other parts of it, that we made no provision for preventing that traffic in votes which would naturally take place with the lowest class of voters.

MR. GLADSTONE: With the lowest class of householders.

MR. GATHORNE HARDY: With the lowest class of householders. I used the word "voters," and the right hon. Gentleman the word "householders." I really think that is a distinction without a difference. The right hon. Gentleman imputed to us that we were bringing in a Bill for the establishment of household suffrage, although no doubt, he also said, that it would not confer household suffrage; and he added that the lowest class of householders would be very much subject to corrupt influences, and that this Bill made no provision to prevent the abuses which would naturally ensue. Now, I do not know that my right hon. Friend the Member for Calne ever said anything more than that. But the right hon. Gentleman tells us that he has a plan by which all these difficulties would be avoided. He says, "Make persons rateable down to a certain figure; let all below that figure be excused from the payment of rates, and let all above it be liable to that payment."

MR. GLADSTONE: I never said anything of the kind.

MR. GATHORNE HARDY: I do not wish to misstate what the right hon. Gentleman said. I have endeavoured to take down his words as well as I could. I understood him to say that it was impossible to pass the clauses which we have introduced into this Bill, because of the Small Tenements Act and of other local Acts. But he wished that we should fix upon some figure, whether £5 or £6, or any other sum below which no one should be called upon to pay rates, and above which everybody should be rated.

MR. GLADSTONE: So much public interest is felt upon this point that I am sure the right hon. Gentleman will excuse me for endeavouring to set him right. I never said that persons above the line were all to be personally rated. What I said was that persons above the line should all be treated in the same manner with respect to the franchise.

Mr. GATHORNE HARDY: The right hon. Gentleman's explanation does not seem to me really to differ from the statement which I attributed to him. What it comes to is this — That there should be a line drawn below which no one was to pay his own rates, while above that line all persons should be liable to be rated. But upon that my right hon. Friend the Member for Oxfordshire (Mr. Henley) asked the very pertinent question whether the right hon. Gentleman meant that those persons above the line should merely be rated, or that they should pay their rates? The right hon. Gentleman says now that he does not think there is much in the payment of rates; but last year he argued against the necessity of the personal payment of rates, and he sought to alter the law upon that subject. That was my understanding of the language which fell from the right hon. Gentleman. But whether you repeal the Small Tenements Act or not such a proceeding would be diametrically opposed to the principle of this Bill, which attaches the franchise to the personal payment of rates accompanied by a certain period of residence. The right hon. Gentleman says that what we should look to is the condition of the man, and not the payment of rates.

We have now been fourteen or fifteen years considering the question, and have not yet been able to ascertain the condition of the man. I must say that the mode in which the question has hitherto been treated has not been satisfactory to the country. It has not led to any settlement. You have tried it in every aspect. A rating franchise and a gross estimated rental franchise have been proposed; but, whatever test was suggested, still the House of Commons has not passed any Bill on the subject, and now we have arrived at a point when it is necessary to see whether the House can pass a measure or not. I understood the right hon. Gentleman to say that under the 34th clause of the Bill the compound-householder would be fined. Now, if it can be said that he is fined by paying his full rates, it might be rejoined that he would be bribed by being permitted to pay less than the full amount; but why should one man be put on a more favourable footing with respect to the exercise of the franchise than another? Let every man stand on the same basis. The right hon. Gentleman said that the 34th clause would require the full payment of rates, and in that statement he was perfectly correct. Why should the compound-householder, whose dwelling may be worth £10 or £20, or even £30 a year, be exempted from the full payment of rates which you exact from the man who occupies in the ordinary way a tenement that is often of smaller value? I can, for my part, see no reason in such a proposal. The right hon. Gentleman says that a man will have in consequence of the provision in the Bill to pay for his vote, and he puts it on the footing of the 1*s.* which used to be paid for registration. But that 1*s.* was paid by a man for the purpose of being put on the registry, whereas the rates are paid because they are due from the man. I must also remind the House that the right hon. Gentleman has entirely omitted from his consideration that provision in the Bill under which the compound-householder, who paid his rate in full, would have a right to recover from his landlord the extra sum he had thus advanced. By that permission the compound-householder would have a right on the payment of his next rate to deduct the additional charge he had incurred; and therefore he would not in reality be subject to any fine whatever. By the 40th clause of this Bill the right hon. Gentleman will see the provisions of the different Acts relating to this subject are referred to. By the 7th section of 13 & 14 *Vict.* c. 81, he will also see that any occupier paying any rate or rates in respect of any tenement where the owner is rated to the same, shall be entitled to deduct from his rent, or to recover from the owner himself the amount so paid.

Sir ROUNDELL PALMER: The provisions of that Act are not included in the 40th clause.

Mr. GATHORNE HARDY: I can only say that they were meant to be, and that a man shall be entitled to recover from his landlord the amount he has paid. It is obvious justice requires that it should be so. Nobody will suppose that the Bill meant to make both the landlord and the tenant pay the rate. Then would there, indeed, be a fine. The provision of this Bill is, that where the occupier claims to be rated he shall be entitled to recover from the landlord the amount of rates he has paid in the rent. Let hon. Gentlemen look the fact of what is proposed fairly in the face.

Provision is made that any man may claim to be rated for such rates as are paid in respect of his house. We assume that those who so claim to be rated have, in almost all these cases, tenancies of a very short description, in many cases merely weekly; and the contract between landlord and tenant would be immediately altered by such proceedings. Let it not be supposed that there will be any necessity for a new claim to be made from year to year. When a man is once placed upon the rate book and so on the register, his name will be kept there as long as he continues to pay his rates. As to some of those proposals which the right hon. Gentleman spoke of as fancy franchises, we are told that many obstacles can be found in registration and other matters. Surely that also applies to the lodger franchise, to which the right hon. Gentleman has adverted more than once. The lodger franchise would involve claims year by year under any system that can be adopted; and the difficulties and annoyances to which persons may be subjected in that way would make such a franchise, however good it might be in itself, most difficult to be effectively worked. But the lodgers who seek to be enfranchised have the opportunity by the savings bank franchise, by the franchise connected with funded property, and by the payment of direct taxes, of coming upon the register. The same observation applies to a great number of the high class workmen earning from £2 to £3 a week who live in lodgings and pay income tax. All these franchises are open not to the higher classes only, but to all classes, and are not open to the difficulties of the lodger franchise. Thus will be met much of the objection which the right hon. Gentleman has founded upon the want of a lodger franchise. A lodger franchise was introduced in the Bill of 1859, and in the Bill of the right hon. Gentleman last year, but in a somewhat different form The difficulty with respect to it was that they had to make their claim from year to year. With regard to the question of the payment of rates, it must not be supposed that the Government are introducing anything new, or that cannot for a moment stand. The ratepaying clauses of the original Reform Bill, which were attacked at first, have gradually obtained stability. For thirty-five years the country has had confidence in the good sense and reasonableness of the principle. This measure only continues that principle. In giving the lower franchise we are only adopting that which the right hon. Gentleman and his Government adopted long ago. The right hon. Gentleman says we have become wiser; but that is the principle of the Bill of 1854. To a certain extent the effect of that Bill has been misapprehended, for a three years' residence was imposed in addition to a £5 rating, and the restriction, therefore, was enormous; because as we descend in amount we find the people much more migratory, changing their residences much more frequently than the classes above them.

Under the present system a deduction has to be made of 28 to 30 per cent in order to come at the number who are placed upon the register; but if we go, as in this Bill, to the lower classes, and include those who are travelling from place to place for the purposes of their employment, we shall at least have to make a deduction of 50 per cent. [Mr. BRIGHT: Hear!] I am glad that the hon. Member for Birmingham at least gives me credit for speaking frankly upon the subject. [Mr. BRIGHT: Hear!] I quite admit that these things are limitations. I have no hesitation whatever in saying that the payment of rates and residence were meant as limitations, and I think they are such limitations as this House will not readily part with. The right hon. Gentleman says that they are provisions which it will be impossible to carry. I differ from the right hon. Gentleman in that respect. I think they will commend themselves to all who look carefully at the question, and the checks of long residence and payment of rates will keep only the best of the ratepayers upon the register. I am quite aware that in all measures of this kind criticism is much more easy than the construction of a Bill. The right hon. Gentleman experienced that himself last year, and no doubt the present Government will experience it this. It is, however, most desirable that we should know—that which we do not yet know—what is the view taken of different parts of the Bill by hon. Members on this side of the House, from whom the present Government have had almost unlimited support for a number of years. To them we owe much for their constant and faithful allegiance. Some hon. Members, I have no doubt, entertain different views from those of the Government on this question. Some, I regret to say, have parted from us, though I trust only for the moment, in consequence of it. But I believe that the noble Lord (Viscount Cranbourne) and the gallant General (General Peel), and the noble Lord in "another place" (the Earl of Carnarvon), if they had had time to consider this question more thoroughly, would never have separated from their Colleagues. I think that upon the figures as they stand, and as they have been reviewed by the right hon. Gentleman opposite, coupled with the checks introduced in the Bill, the measure is a perfectly safe one. If it differs in different boroughs, I can only say that one of the chief arguments adopted last year, on both sides of the House, against the right hon. Gentleman's measure, was that there was a disgusting monotony in all boroughs. Well, here we have, according to him, something like household suffrage in one and something else in another.

There is one point to which I am bound to advert, and which no doubt will be considerably argued on this occasion—I mean the question of an additional vote. If I thought that that was an absurd, an unjust, an invidious, or a mischievous thing, I certainly should have been no party to having it placed in the Bill. But I am at a loss to conceive upon what ground that opinion can be entertained. There have been a great many philosophers as well as practical statesmen of all kinds who have made efforts to reduce in some way or other the powers of some great class which it was wished to admit to the franchise. One person has proposed that we should have the representation of minorities. Another that the voter should have only one vote, while a third thought that we should have cumulative votes in one person. And all sorts of schemes have been proposed. The hon. Member for East Surrey has not been afraid to publish in a pamphlet the Liberal dilemma, which was to admit as many as possible to the franchise, but still to check the measure with the old Sturges Bourne principle. Why, then, does every person turn round upon us, as if we had brought forward something inconceivably unjust in itself, and which will not bear a moment's scrutiny? I invite scrutiny for our proposal. Let it receive the scrutiny of the House, and let us know what hon. Members have to say upon it. The right hon. Gentleman has asked us on the second reading to abandon parts of the Bill, and to say that we have introduced provisions which we do not mean to maintain. But let us hear what the House has to say upon it. We are reasonable men, and if we cannot support a particular provision with effect, I have no doubt it will not be pressed upon the consideration of the House. But, at the same time, let us look at the question and consider why it is more unfair to give a man who pays direct taxation in addition to rates for his house a second vote, than to draw the line at a certain figure, and to give no vote below it. Other hon. Gentlemen have proposed other compensations and other balances against the classes to be admitted. Let us hear and discuss them; but I most distinctly object to sacrificing a part of the Bill upon the second reading, and when only one speaker has addressed the House upon the subject. If there is chaff mixed with the wheat let it be blown to the winds; but let us see that those to be admitted to the franchise are qualified for the duties of citizens—that they are persons who can be found, who are not flitting from place to place, and that they have sufficient interest in the franchise to claim it and secure it for themselves. The 40*s.* freeholder has to claim his vote, and if objected to has to appear before the barrister. When you talk of appearing before the revising barrister, and the right hon. Gentleman speaks of the dangers of registration agents, I ask, does the right hon. Gentleman think that there are no registration agents who appear now without expense, in lieu of the men whose votes are objected to? These things are easily managed, if people wish to manage them. The fact is there are great bodies of men in this country who do not now care for the franchise; but there are also among them some whom it would be most desirable to see placed upon the register. I believe that by one of the provisions of this Bill, enabling these harmless, inoffensive, and often well-educated persons who now abstain from going on the register to vote by voting-papers, as is proposed by this Bill, a great number of them will give their votes.

The right hon. Gentleman tells us there are certain things which must be given up. Well, Sir, with the greatest respect to the right hon. Gentleman, I must decline to accept his dictum on the subject. When this Bill has been discussed we shall see. The Government are as anxious as the right hon. Gentleman to pass the measure this year. We are anxious to give a liberal but not an indiscriminate franchise. We do not think we have introduced provisions which tend to prevent this from being a fixed if not a final measure. We believe it has as good a basis to stand upon as any measure that has been introduced, and we believe it has a better one. It is a basis on what may be called a household residential rating, with personal payment and continued residence. It is a basis which, I think, those above the £10 limit will accept without any fear of being overwhelmed by new voters. I think then of these new voters as of a class capable of exercising the franchise. I know there are many below the gangway who were consistent in opposing the ratepaying qualification under the Reform Act, who will, no doubt, strongly oppose the payment of rates under this Bill. We must meet that opposition. We are not bringing in a Bill to meet the wishes of one section of the community; but we are bringing in a Bill to meet the wishes of the enlightened and quiet and well-disposed portion of the community of this country. We are told we have to dread agitation. I do not wish to say a word about agitation, either in its favour or to its discredit. But it is because that agitation is represented by so large a party in this House, and has been carried so far, that the settlement of this question is imperative if it can possibly be obtained, and that we with reluctance—at least, I speak for myself—but not giving up any principle which we hold—have been parties to bringing in this great measure. I only ask hon. Gentlemen opposite for a fair and candid consideration of this question. If they think there are difficulties as to the mode in which persons would claim to be put on the register, that is a question for the Committee. I feel bound to say that the cavils of the right hon. Gentleman on different portions of this Bill, relate to matters which can neither be discussed on the second reading nor on the Motion that the Speaker leave the Chair. They can only be discussed properly in Committee, when Members can speak more than once, and fully explain their meaning. I do not think the right hon. Gentleman has made out anything to prevent this Bill going into Committee. I trust the House will send it into Committee. If the Government are met in a reasonable spirit, I believe that while thoroughly maintaining their principles, they will be liberal in the enfranchisement of the people, while not allowing it to be unlimited and without discrimination.

MR. HEADLAM said, he rose to answer the appeal of the right hon. Gentleman, and to assure him that he would give a fair, candid, and impartial consideration to the measure of the Government. He regarded the extension of the borough franchise as the most important principle of the Bill; for it could not be denied that had it not been for the defects and shortcomings in that franchise, and the admission of leading statesmen of the necessity for an alteration, the subject of Reform would not press for an immediate consideration. He would therefore make one or two remarks on the proposed new borough franchise. It had been said that the Bill proposed household suffrage subject to two checks—namely, duality of votes, and personal payment of rates. This did not appear to him an accurate statement. Judging from the speech of the Chancellor of the Exchequer in proposing the Bill, and the manner in which the clauses were drawn, he inferred that the whole franchise rested upon the personal payment of rates, and that this was not a check upon something else, but the very franchise itself, so that if it were struck out, the very substance, life, and essence of the Bill would be gone. In that case it would be right to consider how far the personal payment of rates had entered into the past constitution of this country, and how far it ought to be adopted for future practice. This personal payment of rates was identical with the old "scot-and-lot" franchise which was one of many franchises that existed before the Reform Act. Our ancestors dealt with this subject not unwisely. They gave votes not to individuals, but to localities, and allowed the localities to choose in what manner they should send representatives to the House of Commons. In this way the personal payment of rates came into existence, and once existing as a custom it became clothed with the authority of the common law. The Reform Bill entirely swept away all these franchises and substituted one general franchise in lieu of them. That general franchise consisted of two qualifications—first, the occupation of a house of £10 value, and next the personal payment of rates; and it cannot be said that either of these qualifications was more important or essential than the other. At the time of the Reform Act these compound-householders existed, and had existed long before, and whatever difficulties were now experienced were also felt at that time. In the correspondence of Earl Grey with William IV., it would be found that the subject was discussed, and that Earl Grey held many conversations with persons conversant with the Tower Hamlets, in which this particular form of vote at that time prevailed. A clause accordingly was inserted in the Reform Act of 1832 enabling compound-householders to get their names placed on the list of ratepayers, and to pay their rates themselves, and thus to become qualified for the franchise if their rental exceeded £10 per annum. Difficulties, however, occurred on the part of these compound-householders in consequence of the rule imposed upon them that they should make an annual claim, and to meet this difficulty Sir William Clay introduced a Bill to enable them to claim once for all. Earl Russell, in speaking on the Motion for the second reading of that Bill, said he should vote for it because a remedy was required; but that care should be taken that the person claiming to vote was made personally liable for the payment of the rates, and that unless he had paid the rates up to the requisite period he should not be entitled to vote. With regard to the Bill now under discussion, the first observation he had to make was that while it dealt most liberally with ratepayers, it entirely ignored the whole class of non-ratepaying occupiers. He thought this was a great defect in the Bill, since the latter class was becoming more numerous and of greater importance every day, and could not be disregarded. If the franchise was to be based upon the sole principle of ratepaying, he thought it would give rise to fresh agitation on the part of those who were unjustly excluded from the suffrage merely on the ground that the rates of the houses occupied by them were paid by the landlords for the convenience of the parish. If the House were to adopt a compulsory enactment that up to £5 or £6 the landlord should be in all cases liable for the rate, it would be nearly identical with the scheme shadowed forth by the right hon. Gentleman the Member for South Lancashire, and would get rid of many difficulties besetting the question. There should then be a clause which should include within it all non-ratepaying occupiers, whether lodgers or compound-householders, and the definition of tenure and duration of residence with respect to this class would, of course, have to be settled. In that clause some figure would have to be inserted, and he would recommend that such a clause, while very precise, should also be liberal, and should include as few restrictions as possible. It was important that there should be a clear distinction between the two classes of ratepayers and non-ratepayers, and that the ratepayers' list should be occupied only by those who paid rates, for with respect to them there was no necessity for any figure or value of their residence, whereas with respect to non-ratepaying occupiers, some figures would be necessary. He believed a measure of that kind would be acceptable to both sides of the House, and that it would be a permanent settlement of the question. With regard to the re-distribution of seats he agreed with the Chancellor of the Exchequer that unless the electoral map could be re-constructed the extent of re-distribution which the Bill proposed was sufficient—that any further alteration might create difficulties in any future re-construction. He was, however, in favour of such a re-construction of the electoral map, and he would state to the House the nature of the plan he would himself recommend. In the first place, he thought that the present distinction between the county and borough franchise was a great anomaly. If a foreigner were shown a map of England in which the area of each borough was coloured red, the rest being left white, and were told that every householder within those small red spots enjoyed the suffrage, while in the expanse of country coloured white not one in twenty possessed that privilege, he would naturally inquire whether the residents in those small areas had superior qualifications, or what ground there was for so marked a distinction. An answer might probably have been given to the effect that although the distinction seemed an unreasonable one, it had come down from past times; that we changed our institutions slowly; and that the people inhabiting those spots having exercised their privileges fairly, we were not inclined without absolute necessity to make any material alteration. Should, however, it then be asked why, in 1867, when we revised our Constitution, we did not remove such an anomaly, we should be forced to confess that, instead of so doing, we made the distinction more marked than before; for the present Bill, while lowering the franchise within the boroughs, did not enlarge the privileges of the rest of the country to any corresponding extent, and it thus increased the harshness and injustice of the distinction. Why should such a distinction be retained when, with the present facilities of locomotion, the inhabitants of the counties were becoming equally intelligent and enlightened with those of the boroughs. By a proper re-distribution of seats this distinction might be abolished — the occupation or household suffrage might prevail generally through the country, and this might be accomplished without any violent or undue alteration of our present institutions. In order to effect what he proposed, it did not appear necessary to make any change in respect to the counties and the larger cities and boroughs. The county Members at present fully represented the property of the country. With respect to the smaller and middle-sized boroughs, he would not altogether disfranchise them; but he would merge them in the surrounding districts. So that to continue the illustration he had before used, the electoral map would become one uniform colour, instead of being white covered with red spots. By way of illustration he would take the county with which he was himself familiar—namely, the North Riding of Yorkshire. No alteration would be made with respect to the Members for the county, nor with respect to the Members for the city of York; but there were several small boroughs within the county, and what he proposed was to expand the area of each of these small boroughs until they touched each other, and occupied the whole surface of the county. In all probability the same Gentlemen who now represented these small boroughs would come back after the proposed change representing districts with large constituencies, called by the name of the borough they now represent, so that no material change would take place in the distribution of power, or in the individual Members of the House. If a similar course were to be adopted in other counties, the result would be that every householder throughout the length and breadth of the land, who paid rates in respect of his residences, would be entitled to a vote for the district in which he resided, and thus an addition would be made to the constituency far larger than what is proposed in the Bill now before the House, and much larger also than what was proposed last year. Such a measure would be conservative in the highest and truest sense of the term, not as giving power to this or that party in the State, but conservative on the score that any dangerous or impulsive tendencies in any one town or district would be checked and rendered innocuous, not by clauses of Acts of Parliament, not by jealous provisions in restraint of the franchise, but by tendencies of a different description in other parts of the country, and by the average good sense of the whole community.

MR. YORKE said, that in answer to the impracticable scheme which the right hon. Gentleman who had just sat down had suggested, he thought he could add for the consideration of the intelligent foreigner the right hon. Gentleman had chosen as a witness one more problem in our representative system which would puzzle him as much as the right hon. Gentleman's. He (Mr. Headlam) stated that the Chancellor of the Exchequer, in dealing with the re-distribution of seats, had said there were only two methods of dealing with that subject? One was to re-arrange, and to a certain extent so to modify the existing anomalies, so as to make it possible for the representation to continue under the present form; the other to re-open the question, and start *de novo.* Suppose, for instance, the intelligent foreigner referred to had put into his hands a statement of the population and property of the counties and boroughs. What did they think would be his opinion of the bases upon which they stand? There were in the boroughs a population of 8,638,000—electors 489,000, and houses 1,445,000—represented by 334 Members. In the counties there was a population of 11,427,000 — electors 540,000; houses, 2,290,000—represented by 161 Members. Surely such a statement would surprise the foreigner. It was proposed in the Government Bill to meet the question of re-distribution by taking away what was termed the superfluous representation of some of the boroughs. It had been considered and decided that the key to the solution of the whole question lay in the borough franchise; and it was more especially with reference to its operation in small boroughs that he wished to direct the attention of the House. When a Conservative Government brought forward a Reform Bill based on household suffrage, it was natural for those who belonged to that party to inquire what it meant. He had not much difficulty in ascertaining what would be the effect of household suffrage pure and simple in the boroughs, and having verified a statement which appeared in *The Economist*, he would read it to the House—

> "In 40 of the smallest boroughs, between 6,000 and 7,000 population, it would double the constituency; in 13 a vote under £5 would outvote all the present constituency; in 42 boroughs, with a population between 7,000 and 12,000, there were only five in which household suffrage would not more than treble the present constituency. In 22 a franchise under £5 would completely outvote the present constituency, and in 82 small boroughs, under 12,000 population, with 133 Members, there were 20 in which household suffrage would more than double the present electors; in 71, with 113 Members, it would double the present electors; and in 35 of these the electors under £5 would control the elections."

To those who advocated Conservative principles these were startling figures; because the question arose, What was there between them and household suffrage pure and simple. In the first place, dual voting was proposed; but, after what had been stated by the right hon. Gentleman the Member for South Lancashire, they need not discuss it; and he, for one, did not believe that it could be carried into a law. With regard to the payment of rates, he must confess that it would have been more appropriately described as a clause "for the payment of rates by candidates," because he believed it was impossible to prevent bribery by penal enactments. The personal payment of rates would, he believed, though he should be glad to find he was mistaken, enable the candidate first in the field to secure a majority; and the consequence was that between hon. Members and household suffrage there was nothing but the provision which required a two years' residence—a provision which introduced inequalities between one class and another, and would therefore be a stimulus to agitation. He did not, indeed, believe that such a provision could remain for any length of time. If it was desirable that they should have household suffrage accompanied with checks, he would much rather the Government had gone boldly into the question, and if it was necessary to introduce a variety of qualifications, why had they not gone back to what existed before 1832? He did not wish to resuscitate the old franchises, or to disfranchise any; but if the Government had introduced into large towns a household franchise, and a higher franchise into smaller boroughs, he thought that every one would have been satisfied. It was impossible to imagine two classes more distinct than the skilled artizans and the nondescript population of the smaller boroughs. There was great political earnestness in large towns where the artizans resided, and when they thought they had grasped a truth they were almost fanatical in the way in which they enforced it. They asked for Permissive Bills. They were not content with refraining from drink themselves; but they wished to prevent their non-abstaining neighbours from drinking a glass of ale. And, with regard to the sanctity of the Sabbath, they went so far as to seek to close public-houses, even against travellers. If the franchise were reduced in the small towns, the effect would be to increase the power of landlords over the electors. The defence of the smaller boroughs made by the Chancellor of the Exchequer was that a certain number of cheap constituencies were wanted to give opportunities to men of moderate fortune. That they thus added to the variety of the representation in that House, and introduced men of experience from India, the colonies, and the professions to take part in their deliberations, much to the advantage of the nation. But if the smaller boroughs were to be reduced to the condition he had described, they would cease to discharge their peculiar functions in this respect. All their peculiar faults would be aggravated; they would become the helots of the Constitution, and would be pointed to as examples of everything which a borough ought not to be. He earnestly hoped to hear from the Chancellor of the Exchequer some explanation as to the nature of the checks by which he meant to stand. He (Mr. Yorke) was not in favour of household suffrage pure and simple; but with efficient and lasting checks and counterpoises, from whatever source they came, he would give his support to this Bill. If, however, those checks were in their nature artificial, and of a character not likely to be lasting, then, much as he would regret acting in opposition to his party, with whom on most subjects he sympathized, with deep regret he should feel it to be his duty to oppose the Bill.

SIR FRANCIS GOLDSMID said, that on one point he was able to agree with the right hon. President of the Poor Law Board (Mr. Gathorne Hardy), who had stated that this Bill did not propose to introduce household suffrage "pure and simple." It certainly did not. The household suffrage introduced by it would be complex and corrupt—that is to say, encumbered with intricate conditions necessarily tending to corruption. But there his agreement with the right hon. Gentleman ended. That Gentleman had declared it to be most inconsistent on the part of the opponents of the Bill that some of them called it narrow, and others revolutionary. But the inconsistency was in the Bill itself, which would be revolutionary in some parishes and narrow in others. Of the large field of discussion opened by the Bill he (Sir Francis Goldsmid) only desired to consider two points. Was this measure likely to settle the question of Reform? What would be its effect as to bribery? The idea that it would settle the question because, after giving household suffrage, nothing more could be asked, was utterly erroneous. That nothing more could be asked, could only be true if Parliament went beyond the Reform League; for manhood residential suffrage would still leave open the claims of those who had not resided long enough to be registered. The right mode of settling the question was not to give all that could be asked, but to give what was reasonable, trusting to the good sense of the country to support you in refusing to concede more. Then it was suggested that you were more likely to settle the question by adopting principles than figures; and that the Bill of last year did, and this Bill did not, leave room for further agitation, because there the borough franchise rested on a figure, the £7 rental value, whilst here it rested on a principle. But did the borough franchise in this Bill avoid figures? On the contrary, it would be found that its framers, in trying to avoid the one important figure of last year's franchise, had introduced several figures, and that those were figures likely to give rise to an enormous amount of future discussion. First, there was the requirement, in the second paragraph of the 3rd clause, of a residence of two years, or two years and seven months, it was not clear which. This was a figure, and one which, if adopted, would be sure to open the door to subsequent agitation. While the 40th clause left the £10 rental householder capable of ripening for the franchise in twelve months, this 3rd clause would create an inferior class of voters, who would want twice the time, or more, to come to maturity. Now, those who occupied houses at £9 and under would immediately say it was not fair that because they had occupied their houses a year and a half only they should be excluded from the franchise; nor would the assurance of the Chancellor of the Exchequer, that they were shut out because they were "migratory paupers," tend much to console them, especially when they saw the £10 householder, who had been resident a shorter time than themselves, admitted. Then what was to be said of the 3rd paragraph of Clause 2? Although it did not mention a figure, it referred to the Small Tenements Act which did; and, in fact, this paragraph, so far as it was not modified by the 34th clause, introduced into every parish, in every borough, where no Local Rating Act was in force, household franchise, or a £6 0*s.* 1*d.* franchise, according as the vestry of the parish had decided, or might decide. Where the Rating Act of the 59 *Geo.* III., or Local Rating Acts, were in force, other figures would be introduced instead of the £6 0*s.* 1*d.* So we found that this Bill, which was to avoid any figure, had already introduced, instead of the one figure of last year, more figures than it was easy to count. But the matter did not stop there. The Government, frightened even by the shadow of household suffrage which they offered by their Bill, proposed, for the purpose of balancing it, more figures still in the shape of franchises of £50 in the funds, or in a savings bank. Nothing could be more certain to cause discontent than to talk of household franchise being your principle, and then to introduce as new voters only a small fraction of the occupiers who would be introduced by real household suffrage. As to the 34th clause enabling compound-householders to get upon the register by paying the rates, it would have very little effect except as an engine of bribery. It was vain to expect that the poor householder would incur the trouble and expense of claiming to be registered, and of paying the rates, taking the chance of getting, in some cases three-fourths, and in some only half, repaid by the landlord. The Chancellor of the Exchequer had called the £5 franchise a Serbonian bog; but he (Sir Francis Goldsmid) thought it a macadamised road compared with the Bill before them, which made the Act of Parliament subservient to the will of a vestry, and which was founded on the system of giving by one clause and taking away by another, of keeping the word of promise to the ear, and breaking it to the hope—a system acted on to a considerable extent in the Bill of 1859, but brought to a hitherto unequalled perfection in the present measure. He (Sir Francis Goldsmid) thought he had now established that this Bill, which was said to be founded on a principle, and not on a figure, and therefore to afford reasonable hope of a permanent settlement, had in it much more of figures than of principle, and was sure to be a mere starting point for fresh discontent and renewed agitation.

Before passing to the subject of bribery, he would remark that if the second paragraph of the 3rd section of the Bill, which required as a qualification for a borough voter, that he should be on the last day of July in any year, and should have been during the whole of the preceding two years, an inhabitant occupier, was to be retained at all, the Government should clear up the doubt to which he had already referred. Were the two years to count from that 31st of July, or from the 1st of January preceding? And now a few words as to bribery. The 34th section would, he contended, make bribery not only easy, but almost necessary; the election agents would surely manufacture voters by paying their rates. The 6th clause, conferring the franchise on direct taxpayers, would have the same effect; a man would be able to make all his servants voters with a very trifling expenditure. He (Sir Francis Goldsmid) approved of the provisions proposed by Government to be embodied in another Bill for preventing bribery. An early inquiry on the spot would, it could hardly be doubted, facilitate the detection of corrupt practices. And as to the proposal for allowing a candidate proving bribery and not having it proved against him, to take the seat, it must necessarily be satisfactory to him (Sir Francis Goldsmid), as he had himself had the honour to propose it in 1860 and 1863. He believed the more in the sincere desire of the Government to prevent bribery, because they did not now, as the same Gentlemen when out of office did last year, insist on strangling both the Bill for this purpose and that for Reform by tying them together by the neck. But the provisions of their Reform Bill would more than neutralize any possible benefit of their Bribery Bill. It was perfectly vain, if you passed clauses creating a gigantic machinery of corruption, like the 6th and 34th clauses of the measure under consideration, to pass at the same time another Bill threatening with punishment the bribery your own legislation had elaborately produced. The right hon. Gentleman (Mr. Gathorne Hardy) said that if the leading principles of the Bill were impugned, a division ought to be taken on the second reading. But he surely ought not to argue thus, when the very ground of complaint alleged by the other side against this side of the House had for many years been that they had in 1859 divided against the second reading of the Bill of that year. He (Sir Francis Goldsmid) would, on the grounds he had mentioned, and by reason of the objectionable nature of the Bill in other respects, have been glad if a division had been taken on the second reading; but as it appeared that this was not to be the case, he could only hope against hope that when in Committee they would succeed in bringing sense, utility, and consistency into a measure which at present appeared to him to be one mass of incongruities and mischievous absurdities.

Mr. R. J. H. HARVEY said, he had, as an independent Member, called upon the Opposition last year to vote in favour of the Reform Bill, and he now called upon the present Opposition to vote in favour of this Bill in order that the question might be settled. He could not forget that last year the Ministry had resigned on the question of rating or rental. He had given the point his consideration, and had come to the conclusion that rating was the right principle to proceed on. As an independent Member he had to remind the House that it had been declared that Reform was not to be a party question. He had risen chiefly to notice what the right hon. Member for South Lancashire had stated the other night in regard to the borough which he represented. The right hon. Gentleman had said that Thetford was not a borough at all, but rather a cluster of villages—the mere rustics of the country. The fact was that Thetford was one of the oldest boroughs in the kingdom, and had anciently been the capital of East Anglia—the residence of kings. It was a mistake to say that its constituency would be peasants, for there was no cultivated country about the borough. Hares and rabbits frequented a large plain surrounding it. There were several large manufactories in the borough in which a great deal of skilled labour was employed, and the workmen paid their rates—the very class the right hon. Gentleman the Member for South Lancashire thought it so desirable to enfranchise. Under the present Bill they would get votes. There was a very large iron foundry and iron manufactory which sent forth engines to most parts of the world. There was a paper manufactory, and also, perhaps, one of the largest manufactories of artificial manure in the country. Under the Bill of the late Government the increase in the number of voters in Thetford would not have exceeded fifty, but under the present Bill the increase would be nearer 350. It was well known that for many years the borough of Thetford had been to a great extent a nomination borough, and although it had sent Members to Parliament who had been a high honour to the House, they had chiefly been members of two large and influential houses in the district. So far as Thetford was concerned, therefore, the Bill of the Government was entirely consonant with his feelings, as it would emancipate its voters, and make their Member a true representative. The right hon. Gentleman had said that the people of Thetford were the mere peasantry of the country; but, for his own part, he had always felt that the peasantry of the country ought to be represented; and the great defect of former Reform Bills had been that they neglected a class of people who were a great honour to England, and who were hard-working, conscientious, and religious. It was an unfair slur on the peasantry of the country to say that they ought not to be represented. Such as the Bill was, he should have great pleasure in voting for the second reading of it.

VISCOUNT AMBERLEY: I should not venture to rise upon this occasion if it were not in the hope that I should occupy the time of the House for a very few minutes; and I think I may say without presumption, or without disrespect to the hon. Gentleman who has just sat down, that I shall treat this question upon somewhat broader grounds than he has done. I am far from wishing to dispute with him whether or not the Members for Thetford have been ornaments to this House; but I wish to make a few remarks upon the Bill before us. Whatever opinions may be entertained with regard to this Bill, I think there is one fact which must be a source of great satisfaction to all those who supported the measure of the late Government, and that is, the change of opinions and tone which has taken place upon this question between the last Session and the present. I am not in the least taunting Her Majesty's Government with any inconsistency on the subject; but I think I shall be borne out in saying that those who sit on the opposite side of the House, taking them generally, speak in a very different manner from what they did a year ago. Although this is a subject of great satisfaction, I must confess that that satisfaction is somewhat diminished by the nature of the measure which the Government have introduced. Without in the least wishing to deny to them that moderation which they have claimed, I must say that the mutual concessions and co-operation which they have asked for, and which the President of the Poor Law Board has asked for again to-night, are rendered more difficult by the nature of this Bill. Her Majesty's Government, considering the subject during the comparative calmness of the recess, arrived at the conviction that on this question party spirit was a very inconvenient and troublesome element. I am not going to dispute that point with them; indeed, I am inclined to agree with the conclusion at which they have arrived, though I might wish, if I were to wish anything, that they had made the discovery a year ago. But while I fully admit that it is our duty to treat with moderation and candour any measures which they may think proper to introduce, I must at the same time insist that there is a point at which such moderation should cease, because it would amount to a betrayal of our public duty. We as a party have a particular, and I may say a definite policy on this subject. There are objects at which we have long been aiming, and which, to a certain extent, have been resisted by those who sit on the opposite side of the House. Having these objects and this policy, while up to the present time they have had at least no definite or intelligible policy, it is absolutely necessary that if there is to be concession, it must come from them, and not from us. We could not make concessions—at least, we could not make certain concessions—without giving up those objects for which we have contended. I do not know how far the Government may be inclined to go in concession; but to me, and I believe to many others, it would be a subject of great and sincere rejoicing if they were able to unite with us in carrying a sound, satisfactory, and large measure of Reform.

Looking at this Bill, I find that it is a Bill of considerable pretension, because it professes to differ from all other Bills in the circumstance that the franchise it proposes to establish is founded upon a principle. As this principle has been considerably insisted upon, I wish to examine, for a few moments, what it is. I think I shall not be misrepresenting the Bill if I say that the principle upon which the borough franchise is attempted to be settled by it is twofold. In the first place, the Bill provides that the suffrage shall depend upon personal ratepaying, and that it shall cease when personal ratepaying ceases; and in the second, that the compound-householder shall be able to claim the suffrage when he becomes a personal ratepayer. When we are basing the suffrage upon a principle it appears to me that we ought to fix it at some point where there is a natural difference, and not where there are arbitrary and conventional differences between those who are above the line, and those who are below it. Now, I cannot see that this condition is very satisfactorily fulfilled in this measure. I do not see what is the difference between the personal ratepayer and the compound-householder—and it ought to be a very considerable difference—which makes it proper that the personal ratepayer shall vote and the compound-householder shall not. You cannot say that the compound-householder does not pay rates, because he does pay rates; but he pays them in a different shape—he pays them in the shape of rent to his landlord. Yet the Chancellor of the Exchequer told us that the compound-householder was not a proper person to vote in his character of compound-householder. I confess I was not able to gather from him what were the precise reasons which justified that conclusion.

I pass from this point to that which has been so much commented upon by the right hon. Gentleman (Mr. Gladstone)—the case of the compound-householder who would be subjected, in claiming the franchise, to a larger rate than he paid when he compounded with his landlord. And either the right hon. Gentleman the President of the Poor Law Board (Mr. Gathorne Hardy) misunderstood what the right hon. Gentleman (Mr. Gladstone) said, or I entirely failed to understand him; because it appeared to me that he did not succeed in answering my right hon. Friend's objections. What I understood him to say was that a compound-householder claiming to become a ratepayer under this Bill would be able to deduct the amount of his rates from the rent which he pays to his landlord. But taking into consideration the increase of 25 per cent or 50 per cent which the compound-householder would be called upon to pay, I want to know what is the source from which that payment would come? I do not think the President of the Poor Law Board intends to say that it is to be deducted from the rent; because in that case you would impose upon the landlord the fine which the right hon. Gentleman (Mr. Gladstone) supposed would be laid on the householder—that would merely be shifting the burden from one person to another, and not in the least removing the objection which was brought against this provision of the Bill. I think the provision is the more strange and suspicious, because in 1851 a statute was passed by which it was enacted that a compound-householder claiming to vote and claiming to pay his rates for the purpose of voting, where the composition was less than the whole amount of the rate, should not pay more than the amount payable under such composition. If I understand the meaning of that Act of Parliament of 1851, it acknowledges the principle that a compound-householder claiming to be placed on the electoral list should not be liable to an increased payment for claiming that privilege; whereas this Bill refers to the existing Act of Parliament, and it adds a provision that the ratepayer shall pay the full rateable value of the premises. Now, I venture to think that this clause might have been more clearly drawn. It refers to existing Acts of Parliament as if they were to apply, and yet at the end it states that the amount of rates to be paid is the full amount calculated on the full rateable value of the premises. Well then, Sir, we are told that the compound-householder who objects to this large increase of payment in order to obtain a vote must be supposed to be utterly indifferent to politics, and to care nothing about taking part in elections. It appears to me, however, that this is a principle that neither the Government nor any one else would venture to apply to the other classes of society. They say that the compound-householder who does not like to take all this trouble to obtain a vote is totally indifferent to it, and ought not to exercise the franchise; but would they apply this principle to manufacturers, merchants, or clergymen? Would they ask them to take all the trouble they are imposing upon the compound-householder?

I am quite sure that no Government would come to this House with such a proposal; and I am certain that the patriotism which they expect to find in the compound-householder they would not expect to find, or seek to find, in those of a superior station in life. Then it has been objected, and very naturally objected, that the provisions relating to compound-householders would tend to corruption. It is true that there is a clause which provides that the corrupt payment of rates shall be punishable as bribery. But what is the punishment of bribery? We know that, practically, bribery goes totally and entirely unpunished. There may be laws against it, but it is an offence which always escapes with impunity. Therefore I say that this clause is perfectly futile, and is only inserted to save appearances. The borough franchise professes to be established on some principle; but passing on to the county franchise, I am at a loss to know what principle is to be found in the sum of £15. It is in direct contravention of what was established by this House last year, and appears to differ in nothing from those vulgar and commonplace Bills which have been introduced before. It appears to me that we should endeavour to avoid what was done in former Bills—namely, attempting to draw any arbitrary line where no natural line exists. I will not enter into any details respecting the dual vote; but there is one principle of the Bill which has not yet been noticed, but which appears to me to be of considerable importance. I allude to the 37th clause, in which it is provided that those who pass from one Ministerial office to another shall not vacate their seats in consequence. I make no objection to this clause, which I believe was copied from the Act of 1852; but I think it a fair subject for consideration whether there is any substantial reason for requiring that those who accept offices under the Crown should vacate their seats. Circumstances have changed since the Act of Anne was passed rendering such vacation compulsory; and at that time it was an open question whether Ministers should have any seat in the House at all. Now, it is held that they should; and therefore I cannot see any reason why we should continue to require the vacation of seats under circumstances which often create very great inconvenience. There is one point which is, in my opinion, of quite as much importance as the provisions of the Bill, and that is the spirit and temper in which it is introduced. If in the very act of enfranchising some portion of the labouring classes, we show ourselves afraid of the power we are about to give; if in extending to them electoral rights we show that we are jealous and distrustful, and anxious to take precautions against them, then I think that whatever legislation can effect in their favour, such a course will be futile, irritating, and vexatious. It is easy to say that this is a country of classes, and must remain so. There may be distinctions of feeling between its different classes; but I cannot look upon this as a sufficient reason for introducing legislation of an aggravating character, and maintaining injurious distinctions. We should endeavour to modify rather than aggravate such a state of things. It seems to me that if we wish to legislate successfully on this question, we must get rid altogether of the spirit of class. I cannot but believe that many of us are actuated by unnecessary fears, whilst I scarcely know what we are afraid of. If these new voters whom we are about to admit to the franchise were really possessed of revolutionary motives and were anxious to upset the Constitution of the country, is it to be supposed that they would have waited so patiently as they do now? Depend upon it they would show their anxiety for change in some more marked manner. As they do not, I am surprised to see evidences of jealousy in those devices for fencing in the privileged classes with checks and precautions of every kind. I wish that in legislating on this subject we could forget that we belong to this or that portion of the community, and remember only that we are all members of one common nation.

MR. BANKS STANHOPE said, there were many details in the Bill which could be best considered in Committee; and he would therefore confine his observations upon that occasion to its main provisions. He confessed that after the reception which the duality part of the Bill had experienced, he should not be surprised if it were not proceeded with; but he believed that all the hard words which had been used against that principle were without foundation. If hon. Members examined the basis of our parochial legislature ever since 1818 they would find that the principle of a plurality of votes had been recognised over and over again, and that it was embodied in even so recent a measure as the Local Government Act. With respect to the sum at which the county franchise was fixed, as he had said last year, he lived in an agricultural county, where it was a matter of indifference to him at what sum it might be fixed. But there were counties in which the character of the representation would be completely altered if the amount were brought too low. He was aware, however, that they could only deal successfully with that question of Parliamentary Reform by approaching it in a spirit of moderation and of mutual concession, and he was prepared to accept as a compromise the measure proposed by Her Majesty's Government. He entirely approved of the "fancy franchises," as set forth in the Bill. He believed that the education franchise would admit to the suffrage a number of persons to whom it was specially desirable that it should be extended. He also thought that the man who owned £50 in the funds or in a savings bank was fairly entitled to the same privilege; and with respect to direct taxation as an electoral qualification, he trusted that in that manner they would be enabled to take effectual precautions against fraud; while he felt persuaded that the contributors to the income tax in particular ought to be allowed a voice in returning Members to that House. He was willing to accept the Bill of the Government as a compromise; he was in favour of its principle. In the first place, Parliament had been trying to deal with the Reform question for the last fifteen years; and he remembered being told by an old politician that the time would arrive when that tampering with it would land them into this dilemma—namely, that it might be dangerous to deal with Reform, and it might be dangerous not to deal with it. They were at present in that dilemma. The right hon. Gentleman the Member for Calne (Mr. Lowe) had proved to his satisfaction last year all the dangers involved in any deviation from the £10 franchise; but the right hon. Gentleman had not been able to persuade him that it was safe to keep to that franchise, and refuse to depart from the settlement of 1832. The right hon. Gentleman the Member for Calne declared in one of his speeches that the moment the limit established by the Bill of 1832 was abandoned they were standing on the side of a hill, on which they sought in vain for any sure standing ground. The simile was perfectly true, with this addition, that if any hon. Member thought they had found a temporary resting place, Members of the Opposition would at once do their best to deprive them of it. A small ledge or temporary platform might have been afforded by the £6 rating; but what reception had that proposal met with? Recollect that supporters of the Government, being in a minority, could only convert their numbers into a majority by obtaining the assistance of hon. Members opposite; and the right hon. Gentleman the Member for South Lancashire, though he might have welcomed the proposal of a £6 rating, only did so as a peg on which to hang a string of Amendments. Had the Government persevered with that proposal he felt certain that an attempt would have been made to force down their throats a measure similar to that brought forward by the late Government. Lord Derby would have been told that his mouth was to enunciate, and his hands were to pass, the very measure which he and his party chose in the previous Session to reject. A feeling prevailed both in and out of the House that such a course was not one for an able Minister or a great party to assent to. The Conservative party could not, and would not, accept proposals of which they disapproved, dictated by the party opposite. Therefore, when it became clear that the remainder of the House were not disposed to give any assistance to carry a £6 rating franchise, the Conservative party were obliged to try another stand point. Suppose they had proposed a £5 rating, hon. Gentlemen opposite would at once have cut away the ground from beneath their feet by proposing a £4 franchise. It was most difficult to support by argument the adoption of any sharp line of demarcation. He found, for instance, that in small towns a man rated at £4 owned a better house, occupied a better position, and was in every respect a more solvent and respectable person than a man living in a £5 house in larger towns. The operation of the Small Tenements Acts again would be to exclude, or to include, whole classes of residents, according to the limit imposed for the franchise. The important question then presented itself—going at once to the bottom of the hill, would it be possible to gain any security, to establish any principle according to which, by a process of self-elimination, better men in the different constituencies might rise to the surface, and inferior men sink to the bottom?

Having thought the question out for himself, as far as his capacity enabled him, he believed that the proposals contained in the Bill did contain pinciples, and did afford securities worthy of adoption. The residence of two years insured stability in the voter and excluded the wandering classes; while, if persons evaded the responsibility of paying their rates, he did not see why the State need go out of its way to give them a vote. Upon these principles and these securities he, as a strong Conservative, pledged his faith. He contended that in taking this view he was acting strictly upon Conservative and not upon Radical principles; and if the measure had been Radical, it would have met with more support from the other side of the House. The principle and security of which he had spoken were essential points of the Bill. And whatever the fate of the Government might be, he declared that if the principles of continuous residence and personal and full payment of taxes were weakened or impaired, he should feel it his duty to take every opportunity in his power to prevent the Bill from proceeding further. He believed that if these principles were insisted on and established the common sense of the people would make the arrangement now contemplated the basis of an electoral system for the present generation, possibly for a generation to come. No rating clauses were included in the last Reform Bill; but the common sense of the people had come round to that view. If a system of corruption might be introduced from the payment of rates, it did not belong to this measure any more than to any other. One matter would be the rating qualification. As was said the other day by the right hon. Gentleman the Member for South Lancashire, it was a question involving not only the honour of the House, but the good name of England, that they should keep the representative system tolerably free from bribery and corruption; and, though he did not believe they would ever be able thoroughly to stop individual cases of bribery, yet they might do much to reduce the evil as it at present existed. The act in which the House was now engaged was of the most solemn character. It was rebuilding the whole Parliamentary edifice. Men might differ as to the style of the architecture and the ground on which the building should be erected. In his opinion, however, the architect, whoever he might be, would not find his materials so good as might be desired.

He would now very briefly allude to some of the remarks of the right hon. Gentleman the Member for South Lancashire. And first, with respect to the compound-householders — or rather the householders under the Small Tenements Act. The landlord paid the rates according to the rule of the town which had adopted the provisions of that statute, and the tenant paid such an amount as the landlord pleased to take. The right hon. Gentleman had asked whether under this Bill it was intended that the tenant should pay his landlord's as well as his own rates. To that he would reply in the negative. Nor was it provided that the tenant, under the Small Tenements Act, should pay a fine for his vote. He would only be required to pay his rates just the same as anyone who was not affected by that Act. The fact was that the tenant really paid his own rates. He (Mr. Banks Stanhope) did not mean that the tenant should pay his landlord's rates as well; but that if the rates were 30*s.* a year, and they were paid by the tenant, he took the receipt of the overseer and legally claimed 15*s.* or 20*s.* from the landlord. That was the only way in which the tenant paid two sets of rates. He asked the right hon. Gentleman why, because a man lived in a house under £6, he should be placed in a better position than a man who lived in a £7 house? And why, he would ask, should a positive premium be given to the man who did not pay his rates? It was argued that a compounder whose landlord paid his rates had as much right as a ratepayer to have a vote. That, however, was not his opinion; because a man who paid his rates in full naturally took some interest in parochial matters, and had an interest in keeping down the rates, which was not the case with the compound-householder, who left it with the landlord to take its chance whether the rate rose or fell. The right hon. Gentleman had objected that the Small Tenements Act was not universal or compulsory; but the answer to that was that it might be made both universal and compulsory. ["Divide!"] He was aware that he had trespassed a little too much on the patience of the House; but there were particular times and crises when personal opinion became a matter of personal character. He was a strong Conservative by birth, education, and feeling, and he asserted that in maintaining the two priciples to which he had referred, he was keeping his chacrater as a Conservative. He trusted that the

House would believe that the independent Members on that side had honestly endeavoured to grapple with the difficulties of the question. They had taken what they regarded as the best course, and had adopted principles which in their judgment would be a barrier against democracy. They did not underrate in any way the magnitude of the step they had taken; but, at the same time, they were firmly of opinion that it would lead to a beneficial result.

MR. ROEBUCK: I rise, Sir, to support the second reading of this Bill. I wish there should be no mistake as far as I am concerned. I desire to state why it is that I wish for any Reform, why it is that I support this measure of Reform, and why it is that I expect it may be made beneficial. Before I say distinctly why it is that I support any Reform, I will state two things, one of which I do not hope to effect, and the other of which I do not desire to effect. That which I do not hope to effect is to better the character of this House. I believe, Sir, that this House, since it has been reformed—that is, since the year 1832—has produced a body of legislation such as the history of the world cannot supply. Since this House was reformed a series of Acts have been passed creating greater changes in a shorter time, safely, quietly, and for the benefit of the community, than any recorded in the page of history.

It may be said that I have all my life been in Opposition, and it may be asked how it is that I have come to such a conclusion. When I entered this House I was very young. I was very sanguine and very impatient. I am now old, and having lived a life of very wide experience, and having witnessed many remarkable events, I hope I have learnt something by it. The conclusion to which I have come is that the House of Commons, with its tentative process, and caution, and care, and prudence, has been much wiser than I was when I was young, sanguine, and impatient. I do not say that the combating of minds and of different opinions in this House is not productive of great benefit. I want the timid to meet the bold, the hasty to meet the slow, and the courageous to meet the diffident. That, Sir, has been my part in this House. I believe that the fact of urging on others who would not have gone so fast had it not been for the clash of opinions, has wrought out benefits, which one side of the House would not of itself have conferred. Therefore it is I cannot hope that this House will, as far as regards the country, improve its character, or increase its wisdom by Reform. The other remark I wish to make, in order to guard myself in what I shall presently say, is this—that I am not one of those who seek Reform to carry out what is called the natural rights of mankind. I know that "natural right" is a favourite phrase with some. We are told men have a right to the suffrage. I deny the principle. Right is a creature of law. Where the law has not produced it it does not exist. If it be said the man has a right to it, that is merely giving the thing as a reason for itself. It is no argument. Therefore, though great men have talked about rights, and about natural rights, and on two remarkable occasions they have been made use of to no very good purpose, I dismiss them without further remark.

Now comes the question why I seek Reform. Sir, in the administration of justice it is not enough that the tribunal should render equal and impartial justice. Justice is not justice unless it is thought to be justice. No tribunal that does not satisfy the people is a tribunal that ought to remain. I believe that this House, though it has been more wise than any other House of Commons or any other legislative body ever was in the same time, does not satisfy the people. There are large bodies of our countrymen who are not represented in this House. Their opinion is that they ought to be. They will not be satisfied till they are. Therefore, Sir, as a prudent man, thinking that a very large number of these are in a state of mind which well fits them to be represented, I am desirous that they should be. But, Sir, would I therefore have the whole artizan or labouring class represented? Not at all. I think that of that artizan or labouring class, there is a portion who, as to character, probity, intelligence, sagacity, and every other point that distinguishes men, are quite equal to any other portion of the community. I would as soon put my faith in these men as in any whom I see around me. I say that to bring the opinions and the feelings of these men into this House is a thing we ought to do; and which we can do without danger. But there is another portion of that body who are not educated, who are vicious, who are unfit to have in their hands the government of mankind. I should fear to intrust to them the destinies of this great country. Therefore, Sir, I make a distinction. I say, "We will adopt some means by which, in addition to those who are already represented, we shall admit to this House the representatives of that section of the working class who desire and deserve to be represented." That is a clear, definite purpose. I want to know from the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) whether he agrees in that purpose. Is that his aim? Does he want anything more. Anything more than that class shall be represented who, in short phrase, ought to be represented? If he does not desire anything more, will he point out his means for admitting them and keeping out the others? I want to keep out the others. I state it boldly. I do not wish to mince the matter. I say there is a very large class I desire to keep out, and a very large class I desire to let in. Sir, how can we do this? The Chancellor of the Exchequer has proposed a means. The right hon. Gentleman the Member for South Lancashire last year brought in a Bill proposing a £7 rental franchise. That failed. There is one sentiment which I fear does not extensively prevail in this reformed House, and that is the desire to see itself reformed. I do not believe that the majority of this House wish to see that. They feel that they have done their duty, and done it well. I can understand readily why they should not believe that the composition of this House would be improved by alteration. That is the state of mind of the large majority. I do not say that all will act upon it. There are influences out of doors which operate. But the right hon. Gentleman opposite has proposed a plan, and what is it? He says that many attempts have been made taking the rental of houses as a basis. All have failed. Then he comes in with one bold measure. He says, "I will admit every man who is an inhabitant householder in a Parliamentary borough, with these provisoes. He shall have lived in that borough for two years, and he shall be rated to those rates which are levied upon that house." I want to know whether that is not a wise proposal? I do not mean to say that I entirely agree with the mode recommended by the right hon. Gentleman. I have placed an Amendment on the Votes showing what I mean as to that. But why those provisoes? Now comes the object I have stated. I want to admit the worthy portion of the artisan class. The right hon. Gentleman the Member for South Lancashire says you ought to make no distinction. I can not help making a distinction unless I go to manhood suffrage. Even then I make a distinction according to my hon. Friend the Member for Westminster (Mr. Stuart Mill). He says you ought to admit the women. Then, what is the mode we should adopt? "Oh!" says the right hon. Gentleman (Mr. Gladstone) "you ought to consider a man's worth, his intelligence, his virtue." So, Sir, I do. But I want some mark, some test of the worth, the intelligence, the virtue. I cannot go into the street and put my hand on a man's shoulder and say, I know him to be intelligent, virtuous, worthy. But I can do what has been done time out of mind by all mankind. I can judge of a man by how he lives. In that way I can tell when he is not a vagabond, when he has a stake in the country, and has lived a virtuous and quiet life. I say we judge that he leads a quiet and peaceable life by this. He lives in a society and has lived in it two years. He pays his way. He provides the rent for his house. We justly take these as signs that the man is worthy of the franchise that we are about to confer on him. I want to ask men of common sense, men of the world, whether that is not a wise test? There is no use in mincing the matter, or in going into those minute, pettifogging questions we have heard discussed to-night. Let us take a large and broad grasp of the subject. I want to know how we can admit the worthy and intelligent portion of the working class and keep out the others. That is the real question. It may be said this is not the whole Bill. Well, I have no objection to what are called "the fancy franchises." I do not see that they will do any good, nor that they will do any harm, and if hon. Gentlemen are pleased with their rattle let them have it.

As to the county franchise, I think it would have been wiser and safer for the right hon. Gentleman to have taken the vote of last year rather than a £15 rating. Then there is the re-distribution of seats. That goes on a distinct principle from that of the franchise. It relates to the mode in which the present constituency votes. I think I once heard a panegyric pronounced upon the small boroughs, and I am not at all sure that it was not a wise panegyric. I do not believe in a geometrical division of the country, and deriving your constituencies from it. What we want is the representation of a variety of interests. This we get better in the curious hap-hazard way in which everything is done under the English Constitution than we could if we were to divide the country into squares, worked upon the map. Therefore, I am not very anxious as to the disfranchisement of towns. I do not want to increase the numbers in this House; but I do want to give an enfranchisement to large bodies of our countrymen of the manufacturing towns. This scheme, then, is one which deserves consideration. Keeping clearly and steadily before our eyes the desire we have, or ought to have, to admit to the suffrage that portion of the working class who are worthy, and to whom it may be confided safely; desiring also to shut out the unworthy, and those to whom it could not be confided without danger, I ask whether anything could be more simple than the mode proposed? Every householder who lives in a Parliamentary borough, who pays his rates, and who has lived there two years, is to have this right. The right hon. Gentleman (Mr. Gladstone) has told us that you are putting a "fine" upon the voter who lives in a house under £10 renting; but I want to know what that is. Why do compound-householders exist? For the benefit of the State. In order that the landlord may have a *quid pro quo* for taking upon himself the duty of paying the rate, the rate is made less to him. But when a man, instead of having his rates paid by his landlord, becomes part of the State and enjoys the right of voting, is he to turn round and say he wishes to be in the position which he occupied before he possessed that privilege. No! We tell him, "Now you are a voter you must do as other voters do." That is but plain common sense, and the invidious word "fine" is, I think, not worthy of the right hon. Gentleman. There is no "fine" in the case. A man is simply called upon to bear his fair share of the burdens of the State. I hope that the Government will not shrink in this matter. The virtue, the intelligence, and the sagacity of the country are anxiously looking for the settlement of this question. Every hour we dally over it increases the danger by which it is surrounded. I beg right hon. Gentlemen opposite to pluck up courage. Do not let them be frightened by the terrible anathemas they hear denounced against themselves or by pettifogging cavilling cant. Let them do their duty. Let them, as my right hon. Friend (Mr. Gathorne Hardy) said, act as men of sense. When the subject is well thrashed out, as it will be, let them, not stick to their preconceived notions because they are preconceived, but let them, with large hearts and willing spirits, yield where truth, knowledge and intelligence teach them to yield, not fearing the taunt that their conduct is inconsistent.

MR. J. LOWTHER said, that since he had had the honour of a seat in the House he had given constant support to the Government. He trusted that he might be permitted to say a few words in explanation of the reasons which unfortunately at the present time compelled him to entertain fears as to the measure which they were now asked to read a second time. Even if the question upon which he found himself unhappily at variance with those with whom he had hitherto acted, were one in which he took only an ordinary interest, he should be in a situation of no little embarrassment. But when it was to be added that he never was more earnest than he was to see an early and Liberal settlement of the Reform question, his embarrassment was increased tenfold. The basis of the present measure was what some called household suffrage; but what the right hon. Gentleman (Mr. Gathorne Hardy) denominated rating suffrage. He would not enter into this difference. But he would say that no great party in that House or in the country would like to see a settlement of the Reform question on a basis of pure and simple household suffrage. Therefore, the desirableness of the measure depended upon whether there were sufficient safeguards by means of which it could be made a safe one. Among the foremost of these was the duality of voting. The right hon. Gentleman (Mr. Gladstone) held out threats of directing some special Resolutions against this particular check. He (Mr. J. Lowther) thought from what had fallen from both sides of the House that this would be much like hanging a skeleton in chains, for the duality of voting was dead already. Some objected that duality of voting was founded upon a wrong principle, others that there was great risk of it not being accepted by the House, and others that it would not last. His objections to it were antecedent to all these, for he believed that, if passed, it would be found wholly inadequate to secure the object for which it was introduced—namely, to maintain a fair balance of power between the various classes of the community. Then as to the safeguard of the personal payment of rates, it had been said very aptly that evening that this might well be denominated payment of rates by candidates. He (Mr. J. Lowther) was much disposed to agree that it would be almost impossible to frame any clause in the Bribery Bill to prevent the corrupt payment of rates by the agents of candidates. As to resident and fancy franchises, although he considered them good as far as they went, yet he believed that the whole of these things, if taken collectively, would be found insufficient for the purpose for which they were introduced. He feared this measure in its present shape, and still more after the introduction of a compound householder franchise, would be found to be not a Conservative measure, and that it would end in giving undue preponderance to one class. He trusted that he would not be considered as having any hostility towards the working classes, for he should equally object to any measure by which it was proposed to confer Supreme power upon any one class in the State. Without wishing to cast any reflection upon hon. Members who could conscientiously support this Bill, he himself felt that he would not be performing his duty to those who sent him there if he were to support a measure which he considered would have an effect which he was solemnly pledged to oppose. The ties of party were strong; but there were ties which were stronger still. Believing that the probable effect of this measure would be the utter annihilation of the Constitutional party, he should hold himself at liberty, when the moment should arrive, so to regulate his conduct as to entitle him to acquittal from the verdict which posterity would pass upon the party—that of *felo de se.*

The SOLICITOR GENERAL: Sir, my hon. Friend who has just addressed the House is undoubtedly wise in his generation. At the same time, I trust that by-and-by, when he finds that the view which is entertained by the hon. and learned Member for Sheffield (Mr. Roebuck) finds favour in the House, he will alter the opinions that he has expressed, and join the Government in doing what he can to support this measure. I can assure the hon. and learned Member for Sheffield that the Government are not intimidated by anything they have heard to-night or on previous occasions. They do not intend to shrink from the responsibility of passing this measure through Parliament. It has been said in tones of loud denunciation of the Bill that it is without principle and rests upon no basis. I ask leave to show that the principle of the Bill, so far as the borough franchise is concerned, is well defined. And I ask the House not to pronounce an opinion in accordance with a fanatical hostility exhibited against every clause, but if the principle of the Bill is correct to assist us in carrying it. When we hear that the Bill is without principle let me call attention to the fact that until the Reform Act passed, in 1832, a resident and rating franchise was the common franchise of the boroughs in England. The measure of 1832 was a disfranchising measure. [" Oh, oh!" *from the Opposition.*] I call it disfranchising, though of course it was also enfranchising, because it took away the right to vote from those who paid "scot and lot" which right they had previously exercised. Instead of these voters the Bill created others who held the franchise by virtue of the £10 house which they occupied, upon the condition that they paid the rates incident to that tenure. They recognised no inherent right in any man or in any woman to vote. It was a privilege conferred upon certain persons, which they must earn, not a right inherited from their birth. They could not exercise the franchise unless they had resided in the borough for which they claimed a vote a certain period, and had been rated to, and had paid, the assessed taxes.

It was in 1819 that, for the first time, an Act was passed which declared that the landlord should be rated instead of the tenant in certain cases. But when it passed, so tender was the Legislature in favour of those who had a right to vote by reason of their residence in a borough, that it was specially provided that the Act should not apply to cases when the right depended upon scot and lot. Therefore the Sturges Bourne's Act, as it was called, had no reference to this particular franchise. In 1832 the Reform Act passed. That measure enacted that any person who should occupy a House of the required rental within a borough should have the right to be rated. But he was required to make a claim to be rated to the relief of the poor in respect of the premises he occupied, whether the landlord was liable to be rated or not. Upon his making actual payment of such rates, or tendering the payment, he acquired the right to be upon the rates. If the overseer should refuse to put him upon the book he had the right to vote notwithstanding. It was also provided that the landlord was not thereby freed from his liability to pay the rates in case the tenant should make default of payment. Now, what was the effect of those provisions? In cases where by local Acts the landlord was liable to be rated instead of the tenant, the latter was still empowered to go to the overseer and demand to be rated. If the overseer should neglect or refuse to do so, he was still to have the vote; but, in case he made default in the payment of the rates, the landlord would continue liable for their payment. Since the passing of the Reform Act, then, is it or is it not the case that the whole of the persons were thus "fined," to use the expression of the right hon. Gentleman opposite (Mr. Gladstone), for the exercise of the franchise? Is it not the case that from the year 1832 down to the present moment—at all events, for years after the passing of that Act—persons who asked to be rated, in cases where the landlords had previously compounded for the rates, have had to pay not the compounded but the full rate, and that there was no provision for their being recouped by the landlord at all? Therefore, what force is there in the argument of the right hon. Gentleman that the present Bill proposes to inflict this "fine," when, in point of fact, it has been imposed for years past? In order to make this clearer, I will refer to Sir William Clay's Act, passed in 1851. That Act recited the hardships which then existed on certain persons having to claim annually in order to get their names upon the register. Certain householders, desiring to exercise a vote, had been obliged to make what is called in the Act a "continual claim." From 1832 to 1851 they had been "fined," they had continued to pay the rate without the power of recoupment from the landlord. The Act of Sir William Clay, condemning this practice as "inconvenient" and "impracticable," enacted that persons who had once claimed to be rated in respect of premises they occupied were not to be required to renew their claim every year; but that their liability to pay the rates was to continue as long as they continued to occupy the premises or remained on the register. I am aware that there is a proviso in the Act of 1851, enacting that in cases where, by any composition with the landlord, a less sum shall be payable than the full amount of rate, the occupier claiming to be rated shall not be bound to pay or tender more than the amount payable under the composition. But I ask my hon. and learned Friends opposite to point to any provision in this Act by which the landlord was compelled to recoup the tenant for the rates he thus paid in order to exercise the franchise. No doubt this was unjust, and the Acts embodying the injustice ought to be repealed; but I ask, how is it that no hon. or learned Gentleman opposite has ever come forward with the proposal to repeal it, until the right hon. Gentleman (Mr. Gladstone) finds it convenient to make this grievance one of the reasons for picking the Bill of the Government to pieces? And for that purpose the right hon. Gentleman brings the point forward as if the present Government were about for the first time to introduce the grievance, or as if, on account of it, the Bill deserved to be rejected by the House. Under Sturges Bourne's Act the landlord was allowed to be rated at a much less sum than the occupier; because by reason of his paying the rate he incurred a certain amount of risk and liability which he would not have incurred otherwise. The recital of that Act shows what was the grievance which had to be remedied. The grievance which existed was that by reason of some occupiers not paying the rate the other occupiers had more to pay. If, however, a person occupies a tenement, the rates on which were paid by the landlord, and if, for his own convenience, and for the purpose of exercising the privilege of voting, he desires to be rated, what reason is there why he should only pay the same composition as the landlord, who had not the same advantage for the payment as the tenant? There was a reason for exempting the landlord in some degree; but there can be no reason why an occupier, who desires to exercise the franchise, should not pay the full amount of the rates to which the tenement he occupies is liable, just as other occupiers are obliged to do.

I maintain, then, that the present Bill is founded upon a principle, which was well explained by my right hon. Friend the Chancellor of the Exchequer, when he asked for leave to introduce the measure. It has been said, and we believe, that a great number of the people desire to exercise the franchise who are now excluded from it. We believe, also, that they will exercise it fairly, honestly, and intelligently. Therefore it is that the Government have, in the fulfilment of their duty, brought forward a measure in the hope of settling the question which has hitherto remained unsettled. They propose that every man, being a householder and residing in a borough, who desires to be rated, shall be rated; and when he is rated, or has paid his rates, or has shown that he is not a mere migratory nomad, but has resided for a certain time within the borough for which he claims, that he shall then be in a position to exercise the franchise. It cannot be the wish of any one that the man who is here to-day and gone to-morrow should have a vote. The Bill, therefore, wisely provides that a residence for a certain period shall be one of the requirements that must be fulfilled before the franchise is conferred. It also provides that the occupiers shall pay the impositions incident to the property he occupies. Is there anything unreasonable in this? It is an intelligible and well-founded principle. Then, if it be an intelligible and well-founded principle, we come to the next question—Can it be carried into effect by the provisions of this Bill? If there are provisions in this Bill which do not satisfy hon. Members that the principle can be carried out, then I ask them to devote as much time as they can to make it perfect for the purpose. But when I hear it said that the Bill as it stands, or as it will stand, can never by possibility carry that principle out, it appears to me that you mock the whole intelligence of the House of Commons, which, agreeing upon a principle, cannot find means to carry that principle out. I know it may be said there is a difficulty in carrying out that principle by reason of the Small Tenements Act. But those difficulties are much more imaginary than real. The Small Tenements Act which applies to this question is the Act which regards the rating of premises down to the limit of £10. Below that limit we have a class of cases between £10 and £6 which are not touched by any public Acts. When we get to £10 we have the Small Tenements Act, which was passed without reference to the franchise. The right hon. Gentleman says that if you pass this Bill you will place the tenant under the control of the vestries. I deny it. If you pass this Bill you can tell the tenants that they will have a right to be rated and to pay the rates, notwithstanding the Small Tenements Act. They will have a right to do that which the £10 householders, by the 2 *Will.* IV., are entitled to do—namely, to go to the proper officer, and claim the franchise by paying the rate. Now, what has the overseer to do with that? He has nothing on earth to do with it. When I see this Bill so severely criticized, and hear it said that no proper provision is made to carry out this principle, let us turn to the enacting part of the Bill, and see whether this criticism is just. It says, "Every man"—by which I mean every male, not as the hon. Member (Mr. Stuart Mill) suggests it should be "every woman"—shall be entitled to be registered as a voter, and when registered to vote for a Member or Members to serve in Parliament for a borough who is qualified as follows, that is to say:—First, is of full age, and not subject to any legal incapacity. Second, is on the last day of July in any year, and has during the whole preceding two years, been an inhabitant, occupier, as owner or tenant, of any dwelling-house within the borough. Third, has during the term of such occupation been rated in respect of the premises so occupied by him within the borough to all rates (if any) made for the relief of the poor in respect of such premises; and fourth, has before the 20th day of July in the same year paid all poor rates that have become payable by him in respect of the said premises up to the preceding 5th day of January. Then I turn to the 34th clause, which tells such occupiers that they are precisely in the same position as the £10 householders who have possessed the franchise since 1832. We tell them that they may claim to be rated in the same manner and under the same conditions as the occupiers under the existing Act of Parliament. I maintain that this is a just and fair principle, notwithstanding Sir William Clay's Act which enacts that the occupier, in order to obtain the franchise, has only to pay the amount which the landlord heretofore paid under the composition. I say that this principle of the Bill is fairer than that of Sir William Clay's. Voters under the Reform Act were content to claim the franchise by paying the rates, though they were not recouped by their landlords. If the principle we contend for be right, we ask you to frame a clause in the most stringent way possible to carry it out. Frame it so as to prevent the danger of the exercise of any influence by the landlord; but do not tell me that when the unenfranchised classes come forward and say we want to possess the privilege of voting, they will not take the trouble which the £10 householders have been in the habit of taking to possess the franchise under the Act of 2 *Will.* IV. So far as the claim itself is concerned the occupier will not be required to make continual applications, as has been suggested. They will be placed precisely in the same situation as the £10 householders under Sir William Clay's Act. They can make their claim once and for all, and can exercise the privilege without all that trouble which the right hon. Gentleman (Mr. Gladstone) with immense ingenuity has imagined. I deal with the Bill before the House. I maintain that the provisions are just, fair, and reasonable.

I decline to discuss the question in reference to any other Bill which is not before the House. I do not know what the £6 rating would do. It was not in the Bill of last year. It is absurd to press such objections as we have heard against this measure, and to say, "Oh, if you bring forward another Bill we will be happy to support it." If Her Majesty's Government had proposed a Bill with a £6 rating franchise we should have been met with a series of other objections from hon. Members. They would have said, "Oh, that does not satisfy us. We should prefer household suffrage." If there be a sincere desire to pass a Bill of this character, surely it is better not to take objections upon those points to which I have referred. It is better not to suppose that the House of Commons is so weak in its powers of legislation, that even when they intend to confer the franchise on a householder of two years' residence who pays his rates, they are unable to frame a provision in the Bill which would carry out their object; and as I have shown to those who are desirous of obtaining the franchise, the amount of trouble it will cost them will not be greater than that imposed upon the £10 occupiers under the existing law. When it is said that under the present Bill they will have to pay the rates twice over, I deny that any such difficulty is thrown upon them. The evil will remedy itself. Under the Small Tenements Act the tenant agrees to let his landlord pay his rates on the condition that he pays a larger rent. If you pass this Bill a large class of electors will be added to the present constituency, by the power which it gives them to obtain the franchise by the payment of the rates themselves, which the landlord has hitherto paid, the rent of course being reduced in proportion. It will be much more to the interest of the landlord to enter into this arrangement than to continue paying the composition rate. There will be two classes of tenants under this measure. The one class, who, deserving the franchise, will make new contracts with their landlords, and pay their own rates; the other, those who, not caring for the franchise, pay an increased rent in order that the landlord may pay their rates.

This is the whole history of the Bill, so far as the borough franchise is concerned. The ingenious arguments used by the right hon. Gentleman (Mr. Gladstone) against the Bill are utterly inapplicable They do not even find favour with other hon. Gentlemen on his side of the House. This is a question of principle. It is not a question of difficulty, nor is there a "newfangled" principle in the Bill. The principle is as old as the Constitution itself. You have the principle laid down in the scot and lot voting. If you are really desirous of passing a measure of Reform, and say you cannot frame provisions to carry out your objects, then I say that the House of Commons will in effect be saying that they are unable to exercise their functions as legislators. That is the great attack which is made upon the Bill.

I pass by some of the fancy franchises, because nothing has been said against them. Then I come to the 6th clause, upon which some observations have been made. I need hardly comment on the £50 savings bank clause; because I find it was contained in the Bill of 1854, which was introduced on the responsibility of the right hon. Gentleman (Mr. Gladstone), and again in the Bill of 1866. It is therefore hardly possible that any objection will now be made to it.

I now come to that part of the clause upon which a great deal was said the other night, and which the hon. Gentleman (Mr. Bright) designated as the "rat-catcher's franchise." In order not to be outdone, the right hon. Gentleman (Mr. Gladstone) described it on Monday night as the "three-legged £3 horse franchise," and said that a miserable jade of this kind might be passed round to 365 persons in the year, and by the transfer manufacture as many votes. I was surprised to hear that argument used; because in the Bill of 1852 I found a similar franchise, but of 40*s.* instead of 20*s.* This kind of franchise was again introduced in the Bill of 1854. I do not know what great difference there is in principle between a 40*s.* and a 20*s.* direct tax qualifition; because if one was a rat-catcher's franchise, or a three-legged £3 miserable jade franchise, the other was also. But if any one had got up in 1854 and had made such a statement, he would have been told that he was adopting "a tone of levity upon a serious question." You cannot laugh a Bill out of the House. You must argue it out, and it cannot be done by mere ridicule.

The right hon. Gentleman says it is perfectly true that if we look through the Bills to which he has been an assenting party some things will be found of which he has since repented. But he says that my right hon. Friend the Chancellor of the Exchequer, who is merciless in making past errors suit present purposes, ought to have found out that these were fancy franchises, and were bad and new-fangled. I have heard they might be new, but that they must not be new-fangled. I was therefore curious to discover what was the distinction between them, and, on looking into a dictionary to ascertain the distinction between the two, what I found was this, that "new" meant "recently invented," and "new-fangled" meant "newly found out." The apology for these new fancy franchises I found in a small blue book. One would have thought that during the last Session the right hon. Gentlemen would have warned us to avoid these franchises. But the right hon. Gentleman then said he would briefly allude to those franchises which were new to the Constitution, distinct from tenure and occupation, but which had sometimes been pilloried with scoffing and irreverent names, but which might be called special or bye-franchises. A number of them he said were proposed by Lord Aberdeen's Government in 1854, and again in 1859. So far as the Bill of 1854 was concerned, the right hon. Gentleman said that many of those who formed the then Government were responsible for it. The right hon. Gentleman added—

> "We have considered very carefully the nature of those franchises, and the numerous considerations that bear on the policy of their introduction, and we have come to the conclusion that they are not suitable or adequate as a general basis for extending the franchise; at best they are only auxiliary, and while they do not admit any large number, they have a great tendency to complicate the system, and thereby to multiply and increase expense, already very heavy."

["Hear, hear!" *from the Opposition.*] I am much obliged to hon. Gentlemen for their "Hear, hears;" but if, instead of arguing against the present Bill as the right hon. Gentleman has done, he had said it was unworkable, as he did in reference to the same subject in 1866, I could have understood him; but I cannot understand the right hon. Gentleman's objection that the clause is a three-legged £3 horse clause. Now, when the right hon. Gentleman tells us that the franchise which he proposed in 1854 and in 1859 was withdrawn, because it was found to be so unworkable, so wretched, and so unsuitable to the times, that it was not to be introduced in a subsequent Bill, we ought to expect some warning against its adoption. But I do not find in the right hon. Gentleman's speeches of last year that any of these predictions that these franchises would lead to bribery and the manufacture of faggot votes, were then put forward; but only that they were inconvenient, and would not add a large number to the franchise. I have already said that I assume you are legislating for a large body of the unenfranchised classes who honestly wish to exercise it; and if the Government frame a Bill for that purpose, it is no answer to its provisions to say that those who desire the franchise will commit the grossest possible corruption and bribery. It does not apply to the new franchise only, but to every other class of franchise. If men wish to be corrupted they will find men ready to corrupt them; and if a man wants his rates to be paid, he will find an electioneering agent ready to do so. We do not legislate for such persons, but for those who honestly desire to obtain the franchise and honestly exercise it. If an election agent should hereafter act upon the suggestion of the right hon. Gentleman with reference to the transfer 365 times of a three-legged horse, with a 20*s.* tax, he would be liable to the penalties of the law, and if found out he would have to stand in a criminal dock on the ground that he had committed a misdemeanour in acting contrary to the provisions of the Bribery Act.

I now come to the question of duality of voting. It is argued against on the ground that it will set class against class, and light a flame throughout the length and breadth of the land which will never be extinguished. Another argument is that you will have a class of Dives and a class of Lazarus, and that this will never be allowed. But I adopt the argument of my right hon. Friend (Mr. Gathorne Hardy):—"Is it more disagreeable to be excluded altogether, or to be included with others who are to have a second vote?" I should have thought it more disagreeable or worse to be excluded altogether. There is an axiom that half a loaf is better than no bread. Is it the first time that persons have been told in this country that they are unfit to exercise the franchise, and that it should be taken from them? By the first great disfranchising statute of Henry VI., some freeholders, who theretofore had the right of voting, were told that they should no further exercise that right because their voices were not equal to those knights and esquires, who were entitled to vote for knights of the shire. The statute of Henry VI. disfranchised certain classes of voters, and yet there was no flame created throughout the length and breadth of the land. It was the first Act which gave to 40*s.* freeholders only the right to vote in counties, which continued to the Reform Act. Then as to plurality of voting. It should be remembered that Sturges Bourne's Act enabled persons to vote in parish meetings according to the value of their property, some persons having as many as six votes, so that while one man has only one vote, others have six. That Act has been in operation some years, and has not created any flame in the country or excited any war of classes. I admit that duality of voting has never yet been tried; but before you can say that it is wrong from the beginning to the end, you should at least state your reasons for coming to such a conclusion. The hon. Member for Maldon likened the dual voting to Dives and Lazarus. Let us examine into this point a little. It is proposed by the Bill to give the dual vote to a man who occupies a house, who pays his rates, and who pays 20*s.* per annum in direct taxes. Well, this man living in a small house is Dives, while the man who lives next door to him in a house of £50 per annum, but who pays no direct taxes, is Lazarus, and the latter is the man who, we are told, is going to bring the country to the verge of a revolution because his neighbour has a dual vote.

You have now before you the Bill, which has been brought before you honestly and fairly, for the purpose of settling this long-vexed question of Reform. Ingenious arguments may, and doubtless will, be raised against it; but I think you will find, upon examination, those arguments to be more ingenious than solid. I ask hon. Members to take the Bill into their hands and to examine it carefully; but I ask that the same measure of justice that was asked at the hands of the House of Commons last year by the right hon. Gentleman opposite, may be accorded to us. I would use the language of the right hon. Gentleman himself, when he said that the interest in the successful solution of this question was an interest common to the whole House of Commons, and to every party and section of a party within its walls. Therefore I think that hon. Members, instead of meeting the Bill with implacable hostility, should co-operate with us in our endeavours to bring to a successful solution this most difficult problem. We have asked you to accede to the principle that a person who occupies a house for a certain length of time, and who pays his poor rates, shall be entitled to be admitted to exercise the franchise. If you accede to that principle, we further ask you to aid us in carrying that principle into practice. In so doing you will earn the thanks of the country, and will settle the question of Reform upon a sound, permanent, and constitutional basis.

Mr. A. PEEL said, he was glad to find that, instead of discussing vague Resolutions that might mean anything or nothing, the House was now considering the debate of a Bill that was supported by the authority of a responsible Ministry. The problem before the House was how they were to admit to the franchise large classes who were now excluded, and who, if not admitted, might become hostile to the Constitution, and how they were to admit them without impairing the due representation in Parliament of the other classes of the country. In his opinion the Bill of 1866 effected that change most admirably by admitting the industrial element. He was aware it was said that that Bill was drawn up on no principle. The great feature of the present Bill was that it claimed a monopoly of principle, and it was asserted that while the former Bill rested upon the shifting quicksand of a figure, this was based on the firm rock of an unchangeable principle. Since the Act of 1832 the representation of the people had been in the hands of the upper and middle classes of the country, and what was now required was a measure which should admit the humbler classes to a fair share of power in the representation. With regard to the principle of the ratepaying qualification, he might observe that that qualification was adopted in the Reform Act of 1832 for the purpose of identifying the *boná fide* occupier, and not as a proof by itself of his fitness for the franchise. But if there were a principle was it not a shifting one. In fifty-eight boroughs the Small Tenements Act was entirely in force; in ninety-eight it was partly in force; in forty-four it was not in force at all. With regard to the dual vote, he thought it would only be desirable as a check in the event of universal suffrage being adopted. It would be very invidious, moreover, for persons to be ticketed as inferior and degraded voters by being allowed only half the electoral power of those a little above them in social rank. Another proposal to which he objected was the requiring a longer term of residence for the poorer class, for this would operate very unjustly on the most skilled and industrious working men. These were more migratory than others; because, instead of remaining in a particular place, they carried their labour to the best market. With regard to rating and rental, he maintained that the gross rent which a man paid was the best criterion of his position and qualifications, and he should have preferred a £5 rental franchise. As the House had been warned off that so-called dangerous ground, he thought a settlement might be found in a modification of the Small Tenements Act, and in the definition and demarcation of compound-householders—compounding being limited to £5 and under, while all occupiers above that sum should have the franchise. The Chancellor of the Exchequer, in that most readable volume which he had recently published, which contained a collection of his speeches, had pointed out the various phases which a question went through in this country. At first the opinion or crotchet of an individual, it gradually enlisted supporters and became a public question. In time it became a Parliamentary question; and then, being taken up by the Government of the day, it became a Ministerial question. There seemed a danger at one time of Reform becoming an open question; but a Bill had now happily been framed on the responsibility of the Government, and he hoped that they would hereafter be able to look back on the present Session as the period when this long-pending question was settled, and the representation of the people placed on a surer because broader basis.

Mr. BUTLER-JOHNSTONE moved the adjournment of the debate.

The CHANCELLOR of the EXCHEQUER said, he hoped that the debate might be taken to-morrow. The hon. and gallant Member for Sussex (Colonel Barttelot) had a Notice on the Paper; but he trusted, under the circumstances, that he and the other Members who had Notices of Motion would give way.

Colonel BARTTELOT said, though it was difficult for a private Member to get a day for bringing forward any Motion he might have to make, yet when so important a question as that which they had been discussing was before them he had no hesitation in saying that he, for one, should not stand in the way of the renewal of the debate to-morrow.

Debate *adjourned* till *To-morrow.*

INDUSTRIAL SCHOOLS (IRELAND) BILL.

(*The O'Conor Don, Mr. Monsell, Mr. Leatham.*)

[BILL 17.] COMMITTEE.

Considered in Committee.

(In the Committee.)

Mr. WHALLEY said, he wished to call attention to one effect of this Bill, which was that magistrates would be called upon under it to determine the religion of the children sent to such schools, and that the certificate of their baptism would be held as satisfactory proof of their religion. This ought to be well considered when the efforts of the Roman Catholic Church to subject children to the rite of baptism without the knowledge of their parents were known to all. For years past there has been an organized system carried on by the Roman Catholics for the surreptitious baptism of children of the working classes, and this Bill was intended to give effect to that system.

Sir ROBERT PEEL said, he wished to ask the Chief Secretary for Ireland whether the Bill was introduced on the authority of the Government?

Lord NAAS: This is not a Bill, it is merely a formal Resolution.

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of a contribution towards the cost of the custody and maintenance of Children, and of the expenses of their removal in certain cases, in pursuance of the provisions of any Act of the present Session relating to Industrial Schools in Ireland.

House *resumed.*

Resolution to be reported *To-morrow.*

PUBLIC HEALTH (SCOTLAND) BILL.

LEAVE. FIRST READING.

SIR GRAHAM MONTGOMERY moved for leave to introduce a Bill to consolidate and amend the Law relating to the Public Health in Scotland. He said, it was to consolidate four previous Acts of Parliament relating to the removal of nuisances for the prevention of disease in Scotland, and several clauses were taken from the English Public Health Act of 1848. The Bill would afford increased facilities to the local authorities to carry out their Act, and would give a controlling and compelling power to the Board and supervision, which was very necessary.

Motion *agreed to.*

Bill to consolidate and amend the Law relating to the Public Health in Scotland, *ordered* to be brought in by Sir GRAHAM MONTGOMERY, Mr. Secretary WALPOLE, and Mr. HUNT.

Bill *presented*, and read the first time. [Bill 89.]

PROMISSORY NOTES (IRELAND) BILL.

Act read; *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to alter and amend the Act of the ninth George the Fourth, chapter eighty-one, intituled, "An Act for making Promissory Notes payable, issued by Banks, Banking Companies, or Bankers in Ireland, at the places where they are issued."

Resolution *reported:* — Bill *ordered* to be brought in by Mr. M'KENNA and Mr. BRADY.

Bill *presented*, and read the first time. [Bill 90.]

House adjourned at half after
Twelve o'clock.

HOUSE OF LORDS,

Tuesday, March 26, 1867.

MINUTES.]—PUBLIC BILLS—*First Reading*—Consolidated Fund (£7,924,000)*; Inclosure* (65).
Committee—Shipping Local Dues* (41).
Report—Shipping Local Dues* (41 & 64).

CLERICAL VESTMENTS.

OBSERVATIONS.

THE ARCHBISHOP OF CANTERBURY: My Lords, your Lordships will recollect that a few days since I stated, with reference to some observations made by the noble Earl opposite (the Earl of Shaftesbury) on the subject of a Bill which he was about to introduce, relating to Clerical Vestments, that the Bishops had under their consideration a Bill on that subject; but that they had not come to any final decision as to the course they should adopt. I am now happy to state that they have abandoned their Bill, in consequence of the probability of a Royal Commission being issued on the subject.

THE OATHS COMMISSION.—QUESTION.

EARL STANHOPE wished to ask his noble Friend the President of the Board of Trade, When the Report of the Oaths Commission would be laid upon their Lordships' table?

THE DUKE OF RICHMOND said, that the Commissioners were considering their Report; but that they had adjourned their sittings until after Easter.

CASE OF THE "TORNADO."

POSTPONEMENT OF MOTION.

THE EARL OF DERBY said, he observed that the noble Marquess (the Marquess of Clanricarde) had given Notice of a Motion for Papers on this subject. He now wished to represent to the noble Marquess that it would be expedient to postpone his Motion until their Lordships' were in possession of further information. The noble Marquess was to move for copies of the depositions sworn before the British Consul at Cadiz by the master, officers and crew of the *Tornado*, on the 23rd of February last. With regard to these depositions, it would be seen from the papers that up to the 20th of this month no such depositions had been received at the Foreign Office. The petition of the plaintiffs, as they might be called, stated that it was a great hardship to them that these depositions had not appeared in the second series of papers. Lord Stanley made inquiry, and finding that they had never been received at the Foreign Office, telegraphed immediately to Consul Dunlop to ascertain whether these depositions had been taken, and where they were. The answer was that they had been taken, and were in the hands of the parties themselves; but that they would be forwarded the following day. They were received at the Foreign Office that morning, and he hoped to lay them on the table in the course of the day.

THE MARQUESS OF CLANRICARDE said, that after the explanation of the noble Earl he had no hesitation in postponing his Motion. He trusted that their Lordships would read the papers carefully, for the conduct of the Spanish Government, which had been fully exposed by Lord Stanley, had been such that it was impossible for the Government to allow Her Majesty's subjects to be treated with such disregard of international rights.

Afterwards—

Correspondence respecting the Seizure of the *Tornado* off Madeira by the Spanish frigate *Gerona*, (Part IV) *presented* (by Command).

House adjourned at a quarter past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, March 26, 1867.

MINUTES.]—PUBLIC BILLS—*Ordered*—County Treasurer (Ireland) * ; Public Libraries (Scotland) Acts Amendment.*

First Reading—County Treasurer (Ireland) * [91]; Public Libraries (Scotland) Acts Amendment * [92].

Second Reading—Sale of Land by Auction * [H.L.] [70]; Representation of the People [79], adjourned debate *resumed*; read 2°.

BERMUDA—YELLOW FEVER.

QUESTION.

SIR JERVOISE JERVOISE said, he wished to ask the Vice President of Council on Education, Whether his attention has been called to the Report of the Commission on Yellow Fever at Bermuda, 1856; Report of Committee on Yellow Fever at Bermuda, 1864; Report of the late epidemic of Scarlet Fever among children at Aldershot, 1866; and, what conclusion is to be drawn from these Reports as to the infectious nature of the diseases referred to?

LORD ROBERT MONTAGU, in reply, said, he was sure the House would not expect that he should, within the limits of a reply to the Question of the hon. Baronet, enter into all the intricacies of the medical considerations which it involved. He might briefly state that the Reports referred to had been brought under his notice, and that there was no particular conclusion to be drawn from them as to the infectious nature of the diseases mentioned.

THE CATTLE PLAGUE.—QUESTION.

SIR JERVOISE JERVOISE said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been directed to an Action, tried at the Oxford Assizes in March 1866, in which £111 was awarded as compensation to the plaintiff in consequence of his being obliged to dispose of twenty-two cows at considerable loss, the rinderpest having been communicated to them by a cow sold to him by the defendant; and, whether the case of "Mullet *v.* Mason" will constitute a precedent in compensative claims for loss sustained through infection?

MR. WALPOLE said, in reply, that in the case in question the defendant had falsely represented to the plaintiff that the cow was not diseased when he knew that it was diseased, and the Court held that he was liable to the consequences of that false statement. But unless similar circumstances should arise in any other case he did not know how it could be drawn into a precedent.

ROYAL COURT OF JERSEY.

QUESTION.

MR. LOCKE said, he would beg to ask the Secretary of State for the Home Department, Whether Her Majesty's Government intend to bring in a Bill, or take other means to reform the constitution of the Royal Court of Jersey, conformably to the suggestions of the Lords of the Committee of the Privy Council for the affairs of Jersey and Guernsey, as set forth in the Order in Council of the 3rd of February 1866?

MR. WALPOLE replied, that Her Majesty's Government had no intention of bringing in a Bill upon that subject, and he did not see how they could take any other step for the reform of the Court.

NANTLLE RAILWAY COMPANY.

QUESTION.

MR. SAMUELSON said, he wished to ask the Vice President of the Board of Trade, Whether he is aware that the Nantlle Railway Company having been authorized by an Act obtained in 1865 to increase the width of gauge of their Railway, subject to the previous aporoval of the Board of Trade, have in fact increased such width on a portion only of the Railway, and without the consent of the Board of Trade, thereby inflicting serious loss and inconvenience upon the proprietors of certain slate quarries communicating only with that portion of the line the gauge of which has not been altered; and, whether the Board of Trade will cause any inquiry to be made into the circumstances of the case?

Mr. STEPHEN CAVE, in reply, said, the Board of Trade had recently been informed that the Nantlle Railway Company had increased the gauge on a portion of their line without the previous approval of the Board as required by their Act. The Board of Trade had, in consequence, called upon the Company for an explanation, and, upon the receipt of that explanation, an inspector would, if necessary, be ordered to inquire into and to report upon the circumstances of the case.

NAVY—CLAIMS OF MR. CLARE.

QUESTION.

Mr. BAZLEY said, he would beg to ask the First Lord of the Admiralty, If he will place upon the table of the House the Document handed to his predecessor in November last, seeking a settlement of the claims of Mr. John Clare, for the use of his patents in Shipbuilding?

Mr. CORRY said, in reply, that he thought it would be very objectionable to put the country to the expense of printing Returns which could lead to no practical result. Mr. Clare had no new claim to urge since the rejection of his petition of right in the Court of Queen's Bench in the year 1861, and the subsequent refusal of the Court to grant him a new trial. Under these circumstances, he trusted that his hon. Friend would not ask him to produce the very lengthy document to which his question referred.

METROPOLITAN IMPROVEMENTS BILL.

QUESTION.

Mr. Alderman LAWRENCE said, he would beg to ask the Secretary of State for the Home Department, If he intends to proceed, on Thursday next, with the Metropolitan Improvements Bill, which has been brought in by the hon. Member for the Tower Hamlets and the hon. Member for Bath?

Lord JOHN MANNERS said, in reply, that in the present state of the public business it would not be possible to take that Bill or any other measure relating to the taxation of the metropolis, on Thursday next; and he proposed, with the concurrence of the hon. Member for the Tower Hamlets, to postpone the further discussion of the Bill in question until after the Easter recess.

COMMERCIAL TREATY WITH PORTUGAL.—QUESTION.

Mr. AKROYD said, he would beg to ask the Secretary of State for Foreign Affairs, If he has received any communication from the Portuguese Government favourable to the negotiation of a Treaty of Commerce upon the same terms as the French Treaty, provided that Portuguese Wines, although of a higher degree of proof than French Wines, be admitted at the same rate of Duty; and, whether he will lay the Correspondence upon the table of the House?

Lord STANLEY: For some months past a Correspondence has been going on between Her Majesty's Government and the Government of Portugal, having for its object the establishment of a new Treaty of Commerce between the two countries. I regret to have to add that that negotiation has not proved successful. The Portuguese Government insisted as a *sine quâ non* on an arrangement which would have the practical result of abolishing the alcoholic test as applied to wines. They claimed that their wines should be admitted at the lowest rate of duty at which the wine of any country is admitted into our ports. That question was very carefully considered by my right hon. Friend the Chancellor of the Exchequer, by my right hon. Friend the late President of the Board of Trade, and by myself, aided, of course, by the information and advice of the experienced officer of Her Majesty's Customs and Excise Departments, and we found ourselves compelled to come to the conclusion that the imposition of a uniform rate of duty on all wine would not only lead to considerable temporary loss to the revenue —a loss, no doubt, which might afterwards be made up by increased consumption—but would give so much encouragement to illicit distillation as very seriously to endanger the increased revenue derived from spirits. We were willing to consent to a comparatively slight modification of the higher rate of duty on wines; but the amount of the concession which we thought we could safely offer was not such as to satisfy the Portuguese Government, and accordingly those negotiations have come to an end. I shall have no objection to lay before the House the Correspondence which has passed upon the subject.

THE ECCLESIASTICAL COMMISSIONERS —WHITBY RECTORY.—QUESTION.

MR. BAGNALL said, he wished to ask the hon. Member for East Norfolk, Whether the Tithes of the Whitby Rectory, the purchase of the lessee's interest in which was stated in the Seventeenth Report of the Ecclesiastical Commissioners to have been left to arbitration, have become the property of the Commissioners or not, as no mention is made of any decision in the Eighteenth Report?

MR. HOWES replied, that the lessee's interest in the tithes in question had become vested in the Ecclesiastical Commission; but that the actual transfer of those tithes had not been completed until the 28th of November, the day posterior to the date on which the Report referred to was delivered.

PUBLIC HEALTH ACT.—QUESTION.

SIR MICHAEL HICKS-BEACH said, he would beg to ask the Secretary of State for the Home Department, Whether, in accordance with Clause 35 of the Public Health Act of last Session, the nuisance authorities throughout the country generally, and particularly in the East of London, have made regulations for fixing the number of persons who may occupy a house which is let in lodgings, for the registration and inspection of such houses, and for enforcing other provisions contained in the clause; and if the nuisance authorities of the more thickly populated parishes have not applied for power to make such regulations, whether it is not advisable that some further steps should be taken by Parliament in order to induce them to do so?

MR. WALPOLE replied, that a considerable number of places had already applied to the Home Office to be placed under the 35th section of the Public Health Act; and twenty-five of these places had got regulations already made in consequence of such application. The City of London, and in the East of London, Poplar, Limehouse, Rotherhithe, Whitechapel, and Bethnal Green had applied and had got regulations. There were many large and populous places in the country which had moved in the matter, and with the same result; and under these circumstances, and believing that the Act was working well, he did not think there was any immediate necessity for further legislation upon the subject.

CATTLE PLAGUE.—QUESTION.

SIR JERVOISE JERVOISE said, he wished to ask the Vice President of the Committee of Council for Education, Whether he has noticed in the weekly returns, Nos. 67, 68, 69, of the Cattle Plague Inquiry, "no cattle were slaughtered in consequence of being in contact with infected animals;" that upwards of 52,650 have been slaughtered healthy; while the First Report of the Commissioners, p. xvii., states that "the hope of thus arresting its march diminishes, the inevitable waste increases, and the sense of hardship tends to become insupportable;" and, whether the time has not come when this portion of the Report might be attended to without great danger?

LORD ROBERT MONTAGU, in reply, said, he conceived that the object of the Question of the hon. Baronet was to insinuate that the killing of cattle should be put an end to; but he must call the attention of the House to the whole of the paragraph from the first Report of the Commissioners, of which the hon. Baronet had only read a portion. The Commissioners stated—

> "This power is right and useful when the disease has appeared only at isolated spots and attacked a few animals; the public benefit is then very great and the private sacrifice small; but in proportion as it extends the hope of thus arresting its march much diminishes, the inevitable waste increases, and the sense of hardship tends to become insupportable."

That was from the first Report; but, subsequently, in the third Report, the Commissioners said—

> "We see no reason to doubt that the lessened rate of progress during the last two months is substantially due to the new repressive measures —namely, slaughter, stoppage of cattle, traffic, &c. . . . The very principle of stoppage by slaughter is to make the killing follow immediately on the attack, &c."

Therefore, it appeared that the Commissioners, when they became better acquainted with the disease, thought it was necessary to slaughter such cattle as were diseased. Parliament endorsed that opinion by passing the Act of 1866; but, though the cattle plague was not extinct, he hoped that in a very short time measures might be taken by the Privy Council to relax a great many of the orders in force by means of a Bill which would be introduced.

THE CONVICT WAGER.—QUESTION.

CAPTAIN **ARCHDALL** said, he rose to put a Question respecting a recent exercise of the Royal Prerogative of mercy. It appeared from the reports in the newspapers that a murder, accompanied by circumstances of more than usual barbarity and atrocity, had been perpetrated by a man named Edward Wager, and the announcement of the reprieve of the murderer was received with surprise and dissatisfaction; and he hoped that the right hon. Gentleman would by his reply allay those feelings in the public mind. ["Order, order!"] He would therefore beg to ask the Secretary of State for the Home Department, If he will state the reasons which induced him to advise Her Majesty to exercise the Royal Prerogative of mercy in favour of the murderer Edward Wager?

MR. **WALPOLE** said, in reply, that the murder referred to by the hon. and gallant Gentleman was one of aggravated enormity and barbarity. When the case came before him he thought it his duty, as he had done in all other cases which had fallen under his consideration since he filled the office he now held (and he believed he so informed the House at the end of last Session), to apply as a test the unanimous recommendation of Her Majesty's Commissioners on the subject of capital punishment. That recommendation was that unless there was a premeditated and deliberate intention to kill—"malice aforethought" was, he believed, the expression in their Report—these cases in future should not be followed by the penalty of death. When he read the case now alluded to, his first impression was like that of the hon. and gallant Gentleman, that it was a case of such barbarity and cruelty that it was proper that the law should take its course. On the other hand, he found that the jury recommended the criminal to mercy. Moreover, he felt that in this, as in all similar cases, it was his duty to apply to the Judge who tried the criminal, and he did so without intimating any opinion one way or the other.

Lord Robert Montagu

The learned Judge had twice favoured him with his opinion, and he would read a portion of the report. It was as follows:—

> "The murder was not premeditated, and I do not think that when he commenced the pursuit after his wife he intended that act of violence which he afterwards made use of. I am therefore of opinion that the case is not an unfit one for the exercise of the Prerogative of mercy."

After the recommendation of the jury, expressed not only at the time when the verdict was given, but since conveyed to him in stronger language then the original recommendation was couched in, and after the deliberate opinion of the Judge that the case was, in his opinion, not unfit for the exercise of the Prerogative of mercy, he did not think that he could have taken any other course than the one he adopted, and the sentence was commuted to penal servitude for life.

MR. **DARBY GRIFFITH** said, he would beg to ask, whether the right hon. Gentleman adopted it as a principle that he should give effect to the recommendation of the Royal Commissioners before legislation had taken place on the subject?

MR. **WALPOLE** said, that the hon. Member had better give notice of his Question.

SALE OF LAND BY AUCTION BILL (*Lords*.)

[BILL 70.] SECOND READING.

Order for Second Reading read.

MR. **SELWYN** said, he rose to move the second reading of this Bill, and would propose to take the discussion when the Bill was printed with Amendments.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Selwyn.*)

MR. ALDERMAN **LAWRENCE** said, he hoped that a fair opportunity would be given for a full discussion of the measure, to which there was great objection.

MR. **KNATCHBULL - HUGESSEN** said, he understood that the concessions made in the Bill by the hon. and learned Gentleman (Mr. Selwyn), and its noble author, were so many that all the objectionable clauses had been struck out. He also understood that the auctioneers had waived their opposition to it, and now wished it to be proceeded with, on the understanding that there would be full liberty that its opponents should be unpledged with respect to it. Under these circumstances, he would postpone his observations until they went into Committee.

Motion *agreed to*.

Bill read a second time, and *committed* for *To-morrow*.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL.—[Bill 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Lord Stanley.*)

SECOND READING. [SECOND NIGHT.]

DEBATE RESUMED.

Order read, for resuming Adjourned Debate on Question [25th March], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed*.

Mr. BUTLER-JOHNSTONE said, that it was only upon questions in which he took a great and deep interest that he presumed to intrude upon the notice of the House; but holding as he did strong convictions upon the question of Reform, he felt that it was no time to consider what was tasteful or distasteful to himself, but that it behoved him to speak out his sentiments boldly to the House. He believed that vital issues were at stake, and the mightiest that could be debated in any country or senate; nothing less than the whole course of this country's future history; and men in after days looking back to these times and sitting in judgment upon us, would either say that Parliament did well and saved the country, or that it did ill and ruined the Constitution. He confessed that it did not diminish from his anxiety on this question to reflect that it was the country Gentlemen of England, on whichever side of the House they sat—it was the Hampdens, the Pyms, and the Cavaliers alike—whose influence was at stake. He had had the misfortune to differ from his party in the House more than once, but he had never shrunk from boldly expressing his convictions; and he would say he did not think a greater calamity could happen to the country than that these Gentlemen, with their high spirit and great qualities, should be subtracted from the sum of their country's attributes. It appeared to him that they were standing on the brink of a precipice, and that it needed but a slight push to send them over it, and that push, the Bill of the Government, if it were passed as it stood, with what must inevitably and immediately follow, would certainly give. He did not wish to be misunderstood—he did not blame the Government—he was quite sure they wished to do their duty to the Crown and the country. But he believed they had quite misapprehended their duty in undertaking to solve a question which it was wished to get rid of, and that they had erred quite as much in their omissions as in what they had proposed. Erroneously believing that the question of Reform must inevitably damage their party, their whole minds had been bent on its being damaged in the least possible degree. Hence that elaborate system of checks and counterpoises—hence what he would call that egregious and stupendous blunder the dual vote. What was the consequence? These checks and counterpoises were seen to be unpalatable, and in all probability would be withdrawn, and could they then be surprised that their party should stand aghast and bewildered, and believe that sentence of death had been passed upon them by their own leaders? For what was the case? The Government, in fact, seemed to be doing that which the late Government proposed to do, only by a different machinery; because nobody supposed there was any great magic in rating, and if they took this Bill merely as a franchise Bill the effect would be precisely what the late Government had intended, and which they were told last Session would bring about the ruin of the Constitution. Ruin the Constitution he firmly believed this Bill, if unamended, would; and therefore he had always thought that the position taken by the right hon. Gentleman the Member for Calne (Mr. Lowe), and others, was perfectly unassailable. It was enough to do one's heart good, and it redeemed one's opinion of the consistency of mankind, to find that one who had held these opinions last year, in spite of all that had been said against him, holding the same opinions now.

The arrangement of 1832, it had been said, stretched the Constitution as far as it would go, and it could not be stretched any further without breaking it. That opinion he fully shared; but, nevertheless, changed the Constitution must be. No one believed that that change would not take place, and was it not wise to acquiesce in the inevitable, and accept facts that must be accomplished as certainly as if they had been accomplished? Accept them certainly, but not as a Turk or a Hindoo would accept fever and famine, as a decree of Heaven. Accept them bravely by throwing themselves, as it were, at the head of the storming party. In 1832 a Whig Government proposed a Reform Bill. The Tory party, headed by the Duke of Wellington, met the proposal by a negative, and cried *non possumus.* What was the consequence? The Whigs, aided by the force of the country, knocked down all obstacles, and the tide which might have been directed broke loose and swept over the fair face of the land. At that time the numerical principle of representation, a principle unknown to the Constitution, was introduced—at first diffidently—it afterwards assumed a form of greater confidence, and now it asserted itself quite arrogantly. Before that principle asserted itself the result of a great Yorkshire meeting was regarded as having more force than that of scores of borough elections. Thus, in 1781, a great county meeting in Yorkshire put an end to the American war and to the Administration of Lord North; and in 1807, the election of Mr. Wilberforce in Yorkshire was attended with consequences of corresponding importance. Ever since 1832, the principle of numerical representation had asserted itself. And what was the principle of numerical representation? It was not only a democratic principle—it was the democratic principle—it was the very principle of evil. Care must be taken lest it should wax so strong as to swallow up the whole representation. Take the cases of Dewsbury and Middlesborough — boroughs each containing 18,000 or 16,000 inhabitants—when they asked for representation it was because they had interests which required representation. But when Torquay, with a population of 16,000 inhabitants, asked for representation, he would ask what principle did Torquay represent? None that he could understand, unless, as an hon. Friend near him said, it represented pulmonary principles. The population was dependent upon pulmonary patients, and was composed of butchers, bakers, tailors, and other purveyors to these pulmonary patients. These pulmonary patients had no status at Torquay. They were not shiftless nomads; but, at all events, they were nomads who shifted about from place to place according to the bidding of the East wind, and the state of their bronchial tubes; they did not live at Torquay, and they did not care for Torquay, and the remainder of the population consisted of bakers, butchers, and tailors. But, when an election came, they would rush to the poll, though in doing so they would not be actuated by any particular degree of public spirit. He did not say that these people should not be allowed to have a voice in the affairs of the country; but they should not be allowed, as an uncontrolled and unmixed constituency, to return a Member to Parliament. As far as his argument was concerned, it did not matter whether a Member of Parliament was returned by fifty or by 50,000 tailors. The principle was equally wrong in both cases. Outside the boundaries of the proposed borough there lived something like 1,000 villa-holders. They were composed of retired tradesmen, barristers, medical men, professional men, and literary men—men who read their newspapers and talked politics, and took an interest in the collective action of the country, yeomen such as no country under the sun, except England, could show. They were, in fact, the equivalents of the ancient yeomen of England, the representatives of the ancient freeholders of counties. When it was said that the yeomen of England had died out, he pointed to these men with pride, and asserted that they were their representatives. These were independent men living upon their own incomes, owing no man anything—men who reverenced the law. Such men were the ancient yeomen of England, and they were more numerous now than in the time of Hampden, when the freeholders of Buckinghamshire returned him as their representative to Parliament. There was, however, one important difference between the ancient yeomen and their modern representatives, and it was this, the yeomen of England returned Members to Parliament, they had a voice in the country; whereas, by the existing arrangements, these men were practically disfranchised, they were politically annihilated. It was said that freeholders formed a large class of the county constituency; but the old class had been swamped by the 40*s.* freeholders—and this last class was, as it were, but the galvanised relic of a previous age, who swamped the better class, so that these would not take the trouble to register themselves for the counties, and the consequence was they were practically disfranchised. Had the Government Bill, instead of drawing the boundaries of this proposed borough so as to exclude these freeholders, drawn them so as to include them, then instead of getting a worthless constituency such as he had described, they would create one of the best conceivable constituencies. He thought that if they took a town as a radius or focus, and included in it a certain district of the neighbourhood, they would get the best constituencies imaginable. They had some such constituencies in the country. There was East Retford, there was New Shoreham, with the Rape of Bramber, and there was Aylesbury, all of which were of this character. One of them included an area of twenty-five miles, having in addition only one or two small townships and a rural neighbourhood. Then, again, he would take the case of Windsor. He had nothing to say against the representatives of that borough; but he would appeal to them to say if the constituency would not be improved if the neighbouring village of Ascot and town of Maidenhead, and the surrounding country were added, thus creating instead of a corrupt borough a most satisfactory constituency.

He would point the attention of the House to the case of Hungary Proper, whose constitution, bearing great similarity to our own, dated nearly from the period of Magna Charta. There were 335 representatives in the Diet of Hungary; and he begged the House to mark this fact, that out of that number 248 were Members for counties, and only fifty-six for towns, and there were upwards of thirty representatives for the rural districts. It would be impossible in this manufacturing country to allow the counties to have the same proportion of representatives; but, at the same time, the counties were entitled to their fair share of representation. Turning to the county representation, he might point to counties like Rutland and Cumberland with limited constituencies, but which were enabled to secure a fair representation of their sentiments; while again, where the counties had increased in population, so as to become unmanageable, they were very properly separated into divisions, which was a most rational and sensible arrangement. When the Government proposed to disfranchise corrupt boroughs, like Lancaster, Yarmouth, and Totnes, in his humble opinion they committed a great error. When they passed sentence of death against a constituency they ought to do so in a calm and judicial manner; they had no right to deprive towns like Lancaster and Yarmouth —towns with a life of their own—of their share of the representation, on account of the viciousness of a certain portion of their inhabitants. Independently of that fact, the proposed disfranchisement was not made in a judicial spirit. The inhabitants of those towns and the country generally would feel that their disfranchisement was merely a matter of convenience, and that those boroughs were deprived of their share in the representation because the seats were wanted. If, instead of disfranchising these towns, they were to disfranchise unmercifully all those persons who were guilty of corrupt practices, and to infuse with the remainder of the inhabitants a large healthy country district, they would thus create a good constituency. In the course of time, too, those boroughs would raise an irresistible clamour for the restoration of their representation, and their demand would have to be complied with, and their share in the representation restored to them. Let them contrast with these constituencies the small rural districts composed of towns, townships, and neighbouring villages, and the small counties and divisions of counties; let them, on the other hand, take a large county like Berkshire, and he would ask whether they had in such a place a satisfactory constituency? In such a large and long county the men of Dan at one end did not know what the men of Beersheba were doing at the other end; they had nothing in common with them; they did not even worship the same golden calf. In the case of an election it was turned by the townspeople, and turned in the wrong way, for these people had no sympathy with those of the county. He believed that the consequences of a Bill like that now introduced by the Government, would be that they would lose the counties, and the counties which had hitherto been the stronghold of Conservative feeling—he did not use the word in a party sense—and they would become centres of democracy, the result would be they would have a pure democracy, equal electoral districts, and the reign of the 50,000 tailors.

He had said but little about the franchise, and for this reason—that to his mind it was a question which was quite secondary to that of the re-distribution of seats. He had been taught to trust the great body of the English people, and he believed that they would never very widely diverge from the magnetic currents of society, and that consequently they would be able safely to do in England what would be unsafe in America and in Australia. In these states of society they required checks and counterpoises, but in England he believed that they would be utterly vain and pusillanimous. While, therefore, he should like to see the franchise widely extended, he would control its exercise by infusing two kinds of aristocracy among them—the civic aristocracy and the rural, radiating freely in well-proportioned and naturally selected districts. They must trust the people altogether or not at all, and it was the theory of our wise Constitution that they should be trusted altogether. If they insisted upon a wise distribution of seats it did not matter much whether it was a £10 rating or household suffrage, and to his mind it was intolerably nauseous to go on discussing the difference between £10 and £7. It seemed to him that they had got beyond questions of renting and rating. There might have been some sense in the matter if it were a question between £50 and £10; but between £5 or £6, and a household suffrage, the discussion seemed utterly useless, and one likely to lead them into a perfect Serbonian bog. Surely it was not beyond their power to discover some other test of respectability beyond the tests of rent and rating, and a man might be equally worthy whether he lived in a flat containing four rooms, in a four-roomed house, or being a single man occupied only one room. What he should propose when they were going into Committee on this Bill was that the second part, which related to the re-distribution of seats, should be taken first. The present Government had in this matter followed the example of the late Government, who had followed the advice of the hon. Member for Birmingham—the serpent beguiled the woman, and the woman beguiled the man. The present Government had followed the late Government in laying especial stress upon the question of the franchise; but to his mind it was an entirely subordinate question. If they left the people under their natural leaders, and if they had naturally selected districts such as he had endeavoured to describe, there was no fear that the people would choose improper men, they would respect and trust the old names and the old associations. He was not in favour of equal electoral districts. On the contrary, he believed that such a system was about the most destructive surgical operation you could put a country through; it would be a severing of the limbs from the trunk, and cutting through the muscles and sinews of the body politic. Such a system would be cutting across the train of old and hallowed associations; but he would make his districts in obedience to and in accordance with those associations, and if this were so he did not think that it would matter much what franchise they had. Were they afraid of the people of England? Was there any fear that those who lived in their own districts could be turned out by a stranger, or that any caucus would be able to elect a hireling representative for their own sinister purpose and against the interest of the whole country? What he wished to point out was that if they had a natural selection of districts, there was no fear whatever kind of franchise they had, and, *à fortiori*, that it was perfectly unnecessary to have cumulative or dual votes, as there would be no need of checks or counterpoises to defend the minority. He did not want the principle of minority representation defended. It appeared to him that any system of minority representation would prevent their getting at the real sense of the country. He was decidedly opposed to the principle of dual voting. The reason which made him anxious to see a Reform Bill carried was because he believed that matters had now come to a deadlock, and would remain so until that question was settled.

SIR ROUNDELL PALMER, who rose at the same time with Mr. Osborne, said: Sir, it is with very great regret that I deprive myself, as well as the House, for a short time, of the pleasure of listening to the hon. Member for Nottingham, whom the House is always willing to hear; but, in the meantime, I will avail myself of the indulgence of the House to offer my remarks upon a subject which I, in common with all here, feel to be of the utmost importance. I do not, however, mean to follow the example of the hon. Gentleman who has just sat down (Mr. Butler-Johnstone); but in saying so, I hope he will not believe I intend any discourtesy towards him. What I mean is this—the hon. Gentleman has chiefly addressed his remarks to the subject of the re-distribution of seats; whereas I, though by no means undervaluing the importance of that question, look upon the question of the franchise as of still more importance, and with this feeling all I intend to say will have reference to that question.

My right hon. Friend the President of the Poor Law Board told us yesterday, and with truth and candour, that whatever else this Bill may be, it is certainly not a Bill for the introduction of household suffrage. Whether that be a merit or otherwise, it is, I think, a fair description of the Bill. Now, the House is aware that I am not one of those who entertain any alarm at the idea of household suffrage. Upon a former occasion, when there were many reasons why I might have abstained from making a declaration on the subject, if I could conscientiously have done so, I felt it to be my duty not to conceal from the House that my own mind had been for some time travelling in the direction of household suffrage. It had done so upon what I thought to be a combination of Liberal and Conservative principles; I thought a household suffrage liberal in principle, because, whatever might be the regulations under which that franchise was conferred, it would be still a large and satisfactory admission of many persons now excluded from the franchise; I thought it Conservative in principle, because it identified the suffrage with the heads of families inhabiting rated houses in boroughs, and I, of course, anticipated a provision that the proposed voter should have inhabited a house for a sufficient time to secure us against a vagrant and fluctuating constituency. At the same time, it was recommended *à priori* by the very powerful consideration that, so far as the limits of Parliamentary and municipal boroughs were conterminous, the citizen of the municipality would seem in reason to be entitled to that part, not the least part, of the rights of the place or borough in which he resided. It appeared to me that there was a natural principle of finality in such a franchise; but I have never disguised from myself that if at any time that principle should be admitted it would be necessary to define what we mean by rated houses, and what we mean by residence, so as to insure that the voter should be identified with the place for which he voted. Whatever may be the mode arrived at of solving these necessary questions, I do not for one moment entertain the slightest alarm or apprehension as to the consequences of a franchise so extended. My confidence, in this matter, is founded upon the broad basis of the state of society in this country; upon the manner in which the different classes of society are seen to be practically united and co-operating together; and upon the fact, that in every town, if this principle of enfranchisement were adopted, it would place the suffrage in the hands of those who at least were the heads of their own class, whether that class were high or low. I know that the working of the municipal franchise under the Compound Householders Act was made the subject of inquiry a few years ago in "another place;" and the Report of the Committee who considered the question infused alarm, with respect to the working of that Act, into many minds. I find in that Report that in certain places, not very numerous—of which Newcastle-on-Tyne was the only one, from which more than a single witness was examined—among the more ignorant portion of the constituency, described as being chiefly Irish, I believe, there was a great deal of treating and some personation of voters arising from the use of voting papers. But, on a careful examination of that evidence, it appeared to me that the proof of the charge was very narrow; that the charge was made with respect to a small portion of the population, and—what is of far more importance—that every witness admitted that the practical good government of the towns in respect to their local affairs was not substantially, if in any degree whatever, anywhere impaired by the working of that Act. Under these circumstances, I shall feel no alarm if it be found necessary to go to the full extent of the municipal franchise. I am, however, the last man to set up my own judgment against the general opinion of the community, in case it is thought safer to proceed by slower degrees. With reference to the question of limitations, premising that the simple provision of requiring a voter to write his name at the poll would be enough to exclude a great amount of ignorance, I would say that, if it be the general opinion of the House that we cannot go safely to the furthest limit of the household principle, without some safeguards which would prevent the ascendency of the lower portions of the constituency, which some apprehend, though I do not, then I say, by all means let us accept the proposal, made by more hon. Members than one, to stop at £5; but, if we do that, let us at all events do it in such a way as to obtain that which we all want—a good settlement of the question. And whatever we do, whether it be done under the name of household suffrage or under the name of a rating franchise—which my right hon. Friend (Mr. Gathorne Hardy) prefers—let us not by introducing new differences infuse new grounds for disagreement and discontent. The introduction of new and arbitrary inequalities into our franchise is, I venture to say, not the right way to produce any settlement, but it may be calculated to leave the question more unsettled than it is at present. That, I take the liberty of saying, is what this Bill would do; and I think the assertion can be demonstrated with perfect ease.

Now, I ask the House to test the Bill by one very simple criterion—How does the Bill propose to leave the existing constituencies? Will those constituencies, as the Bill proposes to leave them, be constituencies in conformity with the alleged principle of the Bill; or will they be established upon a totally different principle, and in a manner quite at variance from the Bill? I say that all the conditions of the borough franchise given by the Bill are at variance with the law which regulates the existing constituencies, and that you cannot leave the existing conditions untouched side by side with the new conditions which the Bill proposes to create. Now, this is a very important matter. Let no one suppose that all that the present Bill does with regard to existing constituencies is to preserve unimpaired the rights of those who may at this moment be voters. The Bill, by the 40th clause, says, "the franchise conferred by this Act shall be in addition to, and not in substitution for, any existing franchises." Therefore, not only those persons who are now upon the register, but for all time to come, as long as this Act is in force, you are to retain the £10 householders, with their present qualifications and with their present conditions. Are these qualifications and conditions the same as those which will attach to the new voters under this Bill, or are they entirely different and inconsistent with them? Now, I give the answer. Your first clause says with regard to your new franchise that first of all there must be a two years' residence. That might possibly be a very good term for the purpose if it were uniform and applicable to all alike. But you are going to retain the present law as to the £10 householder; and the £10 householder, divided from those beneath him by that arbitrary line, will be qualified by one-half of that amount of residence. Is that a satisfactory settlement of the question? I thought your object in introducing the rating household suffrage was to get rid of this arbitrary pound figure—the line which had been arbitrarily drawn at a certain sum, when no human being can say that one sum is better than another. But you retain this line, as if for the very purpose of getting rid of the benefit of your own principle. An arbitrary figure is still to separate a privileged class from an inferior and a "handicapped" class below them—a class which is to be loaded with greater difficulties in the attainment of the franchise. But the objection does not stop there. Besides the advantage they will have in respect of length of residence, you intend that persons who pay £10 shall get the household franchise much more easily than persons who pay only £9 19*s.* 6*d.* You only allow occupiers below £10 to qualify for an entire dwelling-house; but if the amount is more than £10 they may qualify for counting-houses, warehouses, and shops; which, in some cases, may be only parts of dwelling-houses.

Nothing is better than an example to make a thing well understood; so I will mention a case from Stockport which in 1843 came before the Courts under the Reform Act. A mill was let off by the owners in different rooms to a dozen or more different people, each paying £10 or upwards for his room, having his own key and the common use of the machinery. The rate was entered in the rate book in gross; the names both of the owner, and of all the occupiers, were entered as rated together; one gross sum was levied upon the whole premises; and the landlord paid the rate. Now every one of these persons was held entitled to his vote for the separate room he occupied, and will be so entitled after this Bill has passed. But if those persons had each paid £9 19*s.* 6*d.* instead of £10, not one of them would get a vote unless he occupied the whole house. Is that the way to settle this question, by introducing such distinctions in order to make the dividing line, always arbitrary, more galling and more objectionable, if possible, than before? But there is another point to be considered. Does the present law require this personal payment of rates which you say is the great cardinal principle — the most reasonable principle—of your Bill? When the £10 householder whose rates are compounded for claims to be put upon the rate book, does the present law require from him payment of the difference between the composition and the full rate? It does not, and will not after this Bill has passed. I agree that the present law does require that the voter's name should appear upon the rate book; but I venture to say there is no earthly use in it, unless it is to pay the rate or something in addition to the rate.

If the occupier is put in the rate book and he is not obliged to pay more than the owner, it clearly makes no practical difference, so long as the rate is paid, who pays it. As between owner and occupier it is sure to be taken into account in the payment of rent. Now, I want to know whether, under the present law, your £10 householder is obliged to pay the rates himself. He is not. It has been settled over and over again that if by arrangement between landlord and tenant the tenant pays nothing to the landlord but his rent, and the landlord pays the rates, and if the overseer goes to the landlord without communicating with the tenant and gets the rate, that is just as good in the eye of the law as if the tenant paid the rate himself. The absurdity, therefore, of requiring payment to be made by the tenant's own hand is not entertained by the law as it now stands, and will not be with respect to £10 houses after this Bill passes. The landlord's payment is exactly as good as the tenant's payment, and it would be absurd if this were otherwise; for, if the money be paid, can any one doubt that for all the purposes for which the rate is imposed it matters not who pays it, and that as between landlord and tenant the rate must find its way into the settlement of rent? Then, I say, that for the form of requiring what you call personal payment of the rate not a reason can be given; and that, as it is not required by the present law, if you mean to make it a condition in the case of the new voters, you are introducing a most unreasonable, unnecessary, and arbitrary distinction. The essence of the thing is that the rate shall be paid; if paid, it is unimportant by what hand the payment is made; and to introduce this test as a qualification for the franchise is, I venture to say, a simple absurdity.

Now I come to a still more important matter. Is, or is not, the principle of this Bill right when it requires that the person who has compounded, if claiming to vote, should pay an additional sum of money beyond that which would be payable by him or by anybody unless this claim were made? How stands the law on that point as regards the present £10 householders, and how will it stand with regard to those householders who are to be enfranchised if this Bill should pass? My right hon. Friend the President of the Poor Law Board (Mr. Gathorne Hardy) said—

> "If the compound-householder is fined by paying his full rates, it might be rejoined that he would be bribed by being permitted to pay less than the full amount. But why should one man be put on a more favourable footing with respect to the exercise of the franchise than another? Let every man stand on the same basis."—[3 *Hansard*, clxxxvi. 511.]

The words are not mine, but those of my right hon. Friend. I echo those words. I say that one man should not be put on a more favourable footing with respect to the exercise of the franchise than another. I accept the principle, "Let every man stand upon the same basis." But will he, if this Bill passes as you have introduced it? No, he will not; and that you must perfectly well know. You leave the law as it stands with respect to the £10 householder, who, on paying the landlord's composition, if the landlord has not already paid it, and without paying anything if the landlord has, is entitled to be put on the register and to have a vote. Now, I want an answer to this question, and I hope that when the right hon. Gentleman addresses the House he will give that answer. Is it meant in Committee to adhere to this part of the Bill? Is it meant to leave the £10 householder in a more favourable position than those below him because the law at present gives him that position? You do not by the Bill alter the law in this respect, and you let the richer man acquire a vote on easier conditions than the poorer man, for the former may get upon the register after half the period of residence, or if he only occupies part of a house, and without paying a farthing additional, though the landlord who has compounded may only have paid one-half the rate; while you say to the man assessed one sixpence below £10 that he shall not come upon the register unless he pays the full rate. I say, Sir, that the measure stands self-condemned on this point. But the hon. and learned Gentleman the Solicitor General was very candid, and told us that from the time of the passing of the Reform Bill to that unhappy year 1851—when Sir William Clay introduced a certain unfortunate Bill, which, still more unfortunately, has become law—until then the Reform Act required everybody to pay the full amount of the rate. I wish my hon. and learned Friend had given us his authority for that statement. I do not believe it. I do not believe that such a thing has ever been established as law under the construction of the Reform Act, and I hold in my hand the words from which I draw this conclusion—

> "And upon such occupier so claiming and actually paying or tendering—'What?'—the full amount of the rate or rates, if any, then due in respect of such premises."

But nothing was due in respect of such premises except the sum legally payable; and the Act goes on to say that if the landlord has paid it nothing is due of course; but that if the landlord has omitted to pay it, then the occupier has to pay it. The Reform Act did not expressly add that the occupier paying what was legally due from his landlord might deduct it from his rent; but the law would, without express words, give him that right if it was the contract between the landlord and the tenant that the landlord should pay the rate, as in these cases of composition it always is. Sir William Clay only made clear and express what was the law before. But suppose it were otherwise.

I now come back to the Solicitor General. He says, "Oh! that was bad legislation; the present Bill is good legislation, and the former Act ought to be repealed." Then, where is your settlement of the question? You say your new franchises are to be cumulative; they are to be additional to the old franchises, and not to interfere with them; you have the £10 householders, and you do not require them to pay the difference. And then the Solicitor General says this is justified, because the £10 householders' law is a bad law and ought to be altered. Why, then, does he not alter it? I suppose the right hon. Gentleman means to propose in Committee that the £10 holders shall pay up this difference. If he does make such a proposition I hope to offer some reasons to induce the House to pause before they accede to it. Not only do I say it is wrong in principle as well as inconsistent and unjust to have this distinction between the two classes; but I want the House to see what a total departure from every principle hitherto recognised or contemplated you will make if you adopt the view that the difference of the rate is to be paid. The Reform Act certainly said no such thing, and it is clear that Sir William Clay's Act, as to the municipal franchise, the Small Tenements Act, and the Act 21 & 22 *Vict.*, relative to compounders under Sturges Bourne's Act, have ruled to the contrary. You have had repeated legislation with regard to the Parliamentary and the municipal franchise on the principle that the whole rate is to be treated as paid by payment of the composition; and even the Committee of the House of Lords in 1859, although they were more impressed than I am with the evils which they thought were introduced into the mode of conducting municipal elections by the lower class of householders, yet what did they recommend? Did they recommend this? Nothing of the kind. They never recommended as a condition of the franchise that a man should pay what was not due. What they recommended was that the occupier under £6 should be admitted to claim to be rated on the same terms of payment as the landlord. At all events, therefore, it would be reversing the whole previous course of legislation if you were to agree to this proposition of the Government. But now I want to know whether this is not in principle a fine?

I now come back to the language of my right hon. Friend the President of the Poor Law Board. Commenting on the remarks of my right hon. Friend the Member for South Lancashire, who had said—"Don't think that those small things are not galling. You remember that the 1*s.* formerly paid under the Reform Act for registration was felt to be galling, and you had soon to do away with it." In reply to that argument the President of the Poor Law Board said—

> "The right hon. Gentleman says that a man will have, in consequence of the provision in the Bill, to pay for his vote, and he puts it on the footing of the 1*s.* which used to be paid for registration. But that 1*s.* was paid by a man for the purpose of being put on the registry; whereas the rates are paid because they are due from the man."—[3 *Hansard*, clxxxvi. 512.]

I take issue upon that point with my right hon. Friend. I say that the small occupier wishing to obtain the franchise will have to pay money which is not due from him, and which is not due from anybody else, and if it is not due, it is to all intents and purposes a fine. How is the difference between the amount at which he would be rated and the rate actually paid by the landlord due by the occupier or by anyone else? If it were due now, some one would have to pay it. The fact is you make it due as the price of the occupier's vote. You sell him the vote for that sum of money. That is the simple truth of the matter. But then it is said, if it is not so it ought to be so. And my hon. Friend the Member for Sheffield (Mr. Roebuck) said, "It is plain common sense to say that if a man comes in and has a vote, he should pay the same as anybody else." But I have just been showing that he will not pay the same as the £10 compound householder now pays; and therefore I say that it is not so simple a matter of common sense. But what is the meaning of this composition? Under those Acts, for the purpose of the convenient collection of rates, a double system has been introduced. In 1819, and again when the Small Tenements Act was passed, and when several local Acts were passed, it was thought advantageous for the local interests, practically, to employ the owner as a collector of the rate from the occupiers. It was perfectly well known that what the owner paid he would get—and probably much more—in the rent; and it was thought an economical and convenient arrangement, because it might happen that he would occasionally not be able to collect the rent, to allow him a sort of discount or commission for the collection. It was, under the Small Tenements Act, arranged that 75 per cent should be rated on the owner instead of the 100 which would have been put on the occupier; and by that and other Acts a further composition was allowed, reducing the payment to 50 per cent, if the owner paid upon all the houses belonging to him, taking upon himself the risk of some of them remaining unoccupied. What reason in the world is there why you should make the occupier pay the owner's commission if he is put on the rate instead of the owner? It is more extravagant and absurd still if the occupier is required to pay that portion of the rate which the owner is allowed as a compensation for the chance of some of the houses remaining unoccupied. He pays in the lump upon occupied and unoccupied houses, and is therefore granted an advantage. Is the tenant to pay that? Is the tenant to pay for the unoccupied house that is covered by the landlord's composition? The whole theory depends on an utter misconception of the nature of this discount and allowance. That which the landlord pays is the amount of the rate, and the sum allowed to him as discount is money paid for the benefit which those interested in the rate are supposed to get in consequence of the payment of the rate being made by him. If anybody is interested in the payment of the rates, surely it is the local community; but a man may obtain municipal privileges without the payment of this discount or commission. Should we, then, impose such a payment for the privilege of voting to return a Member to Parliament, which has nothing to do with local burdens, while for the exercise of a privilege in connection with the local community, and consequently with local burdens, nothing of the kind is required?

I come next to a remarkable passage in the speech of my right hon. Friend the President of the Poor Law Board, which shows me that, notwithstanding his ability, he is not himself master of this Bill which he is here to advocate. He did not know what it contained. He thought it ought to contain something which it not only does not contain, but which, I venture to say, could not by possibility be put into it. My right hon. Friend said that of course the tenant would deduct from the rent he now pays his landlord the sum which he will have to pay in rates. The right hon. Gentleman observed that the provisions of the existing law were made a part of the Bill, and that a man when he paid his rates would have a right to recover against his landlord. But, under the existing law, you do not oblige him to pay anything, except what the landlord is by law compelled to pay; and if the tenant pays what is the landlord's proper burden, he can recover it by the ordinary operation of the law. The question, however, is not as to the payment of the proper amount of the rate, but as to the payment of what we take the liberty still, notwithstanding all that has been said on the other side, of calling "the fine"—namely, the extra payment for which the landlord is not liable, but which you impose on the occupier as the price of the franchise. My right hon. Friend laid down that the occupier would have the power to recover from the landlord the full amount he had paid. He observed—

> "I can only say that they were meant to be, and that a man shall be entitled to recover from his landlord the amount he has paid. It is obvious justice requires that it should be so. Nobody will suppose that the Bill meant to make both the landlord and the tenant pay the rate. Then would there indeed be a fine. The provision of this Bill is, that where the occupier claims to be rated he shall be entitled to recover from the landlord the amount of rates he has paid in the rent."—[3 *Hansard*, clxxxvi. 512.]

I took the liberty, no doubt improperly, of interrupting my right hon. Friend; but, regarding the point as one of much importance, I asked him to what section he alluded, and he referred me to the 34th clause, which is in these terms—

> "Where the owner is rated in respect of a dwelling-house instead of the occupier, the occupier may claim to be rated for the purpose of acquiring

> the franchise in the same manner and subject to the same conditions in and subject to which an occupier may claim to be registered under the existing Acts of Parliament for the purpose of acquiring the franchise in respect of the occupation of premises of a clear yearly value of not less than £10, and all the provisions of the said Acts shall apply accordingly, provided that the rates to be paid by such occupier in order to entitle him to the franchise shall be rates calculated on the full rateable value of the premises."

Now, observe that those who drew the proviso at the end of this clause must have known well that they were attaching conditions to the new franchise which do not attach to the old. The clause merely states that the occupier may come in and claim to be rated in the same manner as the occupier of a £10 house may now claim to be registered. But is any £10 householder enabled to recover any sum in excess of that paid by his landlord? No, because he is not liable to more. In respect of a £10 house, of which the landlord pays the rates, the occupier need only pay them if the landlord is in arrear. If the landlord is bound to pay them, but allows them to get into arrear, and the tenant pays them for him, the tenant is left to recover the amount by the ordinary process of law. But he does not pay anything more than the landlord is liable to pay, and does not recover more. Now, if this plan were passed into law, how would it act? Under some of the statutes the landlord is obliged to compound one full half. Suppose, therefore, that a landlord had 100 houses rated at £8, and that fifty of them were full and the remaining fifty empty, and that he pays a composition at the rate of £4 for each of them. Of course, he would make that good by putting at least £8 on each of the occupied tenements; so that, in point of fact, he would recover from them the full rate; and yet, when one of the tenants desires to come in for a vote, you would make him pay over again, by compelling him to bring up his rate to the full amount, so as to cover the allowance which the landlord has got for the unoccupied houses, and for which allowance the landlord has been fully indemnified, as far as the actual payment is concerned. Then I want to know how the measure would work in other cases. Take, for instance, the case of the aggregate rating at Stockport, to which I have already referred. How are you to divide it? Or take the case of frequent changes of residence in the occupied houses within the required time, and of different rates, and see what a deal of trouble you would impose upon a man who desired to have a vote; and all these difficulties will inevitably make themselves felt if such a provision is to become law. But you have not got any such provision in your Bill; and I say that the right hon. Gentleman does not know his own Bill when he thinks that there is any such proposition in it. If you try to introduce it, you will have to encounter all the difficulties I have mentioned. But, apart from this, I ask for what reason ought the landlord to be mulcted for the benefit of those tenants who desire to claim the franchise? Yet this would be the effect of such a provision. But it is quite evident that it was the improvised idea of my right hon. Friend. It is not the law, and I hope it never will be. It is monstrous that you should disturb and unsettle contracts and economical arrangements made for the greater advantage and convenience of the parties interested in local taxation, under laws passed for that purpose, merely to discover a mode of impeding and restricting the operation of a new Parliamentary franchise.

I will not occupy the House with dwelling on the practical difficulties which my hon. and learned Friend the Solicitor General makes so light of. He argued that they would be no worse than what have existed under the Reform Bill, and that we know how to manage these things. Well, but it is one of the objections that it is so easy to manage them—that they would be managed so very unequally—that in some cases they would be so managed as to put such an immense number of persons upon the list as to swamp the constituency, and that in other cases they would be kept off altogether. That sort of management will not be prevented by the clause about the corrupt payment of rates. What is a corrupt payment of that description to consist of? You must define it by some other words than you have got in your present Bill.

Well, I will now pass from this subject, and I come to another point, upon which I shall not say much to-day, though certainly I cannot treat it as one of trivial importance—I mean the principle of dual voting. Sir, when we came down to the House yesterday, I think many hon. Gentlemen on both sides of the House expected that we should have been relieved from the discussion of this question. I fully thought that the Government would take an opportunity, and an early opportunity, of throwing that lumber overboard. But it is not so. We are required to bring forward our arguments against it; and my hon. and learned Friend the Solicitor General, and the right hon. Gentleman the President of the Poor Law Board have brought forth their arguments in favour of it. And what were those arguments? They may be summed up in one felicitous phrase made use of by the Solicitor General, who accompanied it by his happy reference to the antiquities of English history and the reign of Henry VI. The felicitous phrase was this, that "half a loaf is better than no loaf at all." My hon. and learned Friend argued thus:—"How can you complain of there being a favoured class, a privileged class"—and most of the £10 householders, no doubt, would be included in that privileged class—"how can you complain of their being gifted with a double vote, of their voice being made twice the value of that of others? For see how much better off you are who have a single vote than those who have no vote at all." Now, Sir, the thought did occur to my mind when I heard this argument, that there was a little undercurrent towards universal suffrage in that way of putting the question. The suggestion of the grievance of those who have got no vote at all, and how thankful those ought to be, by comparison, who have got even half a vote—I must say that this did not appear to me, on the whole, to be a remark of a very Conservative tendency. But it is of more importance to observe that this remark did lay bare the very essence of this proposal, which is to grant a half enfranchisement instead of a whole enfranchisement; because it is quite plain that it makes no earthly difference whether I give a man below me half a vote, retaining my own vote at its present value, or give him what I call a whole vote, and at the same time double the value of my own. Now, the right hon. Gentleman the Chancellor of the Exchequer did not profess to be able to state fully what the effects of this provision would be; but I apprehend that they would be —if it were possible to imagine that it could be adopted—of a much more large and potent character than the right hon. Gentleman shadowed forth in his speech. And, Sir, whether or no it is thrown overboard—as I have no doubt it will be—it will remain to stamp the character of this Bill with respect to the purpose for which it was introduced. Why has this provision—not without forethought, not without deliberation, and not without a place for repentance being several times given—why has this provision to the last and up to this very moment adhered to the Bill? and why is there now so much hesitation about throwing it overboard? Because, as my right hon. Friend the President of the Poor Law Board said, the favourite principle of the Bill is that of limitation, and not that of enfranchisement. Well, then, I say, as far as this is the case, those whose object is enfranchisement, and whose main object is not limitation—they certainly are bound to be on their guard if the Bill goes into Committee; and if they consider that they cannot sufficiently protect their object when in Committee, they will be well justified in taking care, in such other way as may seem best to them, that the purpose of limitation rather than of enfranchisement, entertained by hon. Gentlemen opposite, is not fulfilled.

I have kept the House so long that I really do not like to go into other matters; but there are still two points of considerable importance upon which I wish to say a word. One is with respect to the county franchise. We have here exactly the same provision promised us as with the borough franchise—an invidious line is to be drawn between the present constituency and the future one—the £50 occupier is not obliged to pay any rates at all by the present law in order that he may have a vote; but the Bill proposes that the new county occupiers must be rated, and must pay their rates, before they can claim the franchise.

Then with regard to the special franchises. Now, I am perfectly free in this matter, and I mean to exercise my freedom. I have been no party, directly or indirectly, to any Bill containing such franchises, except the Bill of last year. With respect to the saving banks franchise in that measure, I took the liberty of saying that I regarded it as by no means the best portion of the Bill, which was as much as saying that, as far as I individually could, I disapproved it. I venture to say that the whole of these franchises, from beginning to end, are utterly wrong. They are wrong in principle, and untenable and unsettling in practice. When I say wrong in principle, let me for a moment apologize to the hon. Member for Westminster (Mr. Stuart Mill). I do not like to pronounce a principle wrong in the abstract of which he is the advocate. I do not think I shall be misunderstood; I mean only to express my personal respect for the hon. Member, not of course that I agree with this or that particular opinion which he may entertain. The hon. Member has put on the paper notice of his intention to propose in Committee—if we reach that stage—certain clauses which shall substitute the principle of personal representation in the place of local representation. The hon. Gentleman holds to the well-known method of Mr. Hare, which would be no doubt a very effectual mode of carrying out that principle. But it is not at present the principle of our Constitution. We go now upon that of local representation; our counties are large communities; and though they may in some respects no doubt be artificially defined, yet by the associations of our whole history they have acquired a certain species of reality in the minds of men. And so with regard to our boroughs, our cities, and our Universities—in each case there is a living body politic, which is the seat and local centre of representation. The whole of our present system is founded upon it; our present franchises are all local franchises. You have your freeholders and occupiers in the counties; you have your householders in the boroughs. But these special franchises will cut you adrift from that principle altogether and, if they are accepted, will not land you in any consistent results. They are personal, and not local in any proper sense; they depart from the one principle, and do not develop or satisfy the other; there is no reason whatever that I can see for them. The lodger franchise, indeed, would be an exception; because that is, in fact, a franchise given to a person who occupies part of a house, under circumstances similar, though we are not able to apply all the terms of the definition, to the person who occupies a whole house. But with respect to those merely personal franchises, I venture to say that while they would be totally insufficient to satisfy any principle, they are also, as they stand, either objectionable or needless. Take the first of them, that which proposes to confer the franchise on the graduates of our Universities. What claim have they to it? You have already given them their own local representation. The Universities of Oxford and Cambridge already return Members; and under this Bill the University of London would return a Member. There is the proper place for their graduates. Your ministers, your lawyers, your schoolmasters, will be householders, or lodgers; they are part of the class which, at all events, a lodger franchise would introduce, and there is therefore no reason for a special franchise for them. I come next to the savings bank franchise. What does that mean? I know very well that in what I am going to say I may be separating myself, in some degree, from some of those whose judgment I respect; but I feel bound to say what I think on this subject. What does this savings bank franchise mean? It is a petty property qualification for a special poor class of people. By all means admit poor and rich by any well-considered franchise which is applicable to all; but do not invent a petty property qualification for the sake of one class—probably a very special class, of poor persons—household servants, and others of that description. Well, then, we come to another still more absurd and preposterous—the qualification of £50 funded property. Why, in the name of all that is reasonable, should it be "funded" property. When you had that old incumbrance, the property qualification for Members of Parliament, it was once, but did not continue long to be, limited to landed or funded property. Why limit the qualification, if you are to have anything of the sort, to this particular mode of investment? Do not you see that it could not possibly stand there—that there is no kind of principle in it—that you are merely introducing a new element of change which cannot possibly stop at the point at which you have put it? The direct taxation franchise has been sufficiently dealt with by those who have preceded me, and I have reached the limit of the observations I have to offer.

For my own part, I share fully in the wish that something, if possible, may be made of this Bill; and if the House thinks it can make something of it in Committee, I do not hesitate to say that, for one, I should prefer to go into Committee. But most assuredly I agree with those who say that if this Bill passes substantially as it stands you will neither be improving the representation of the people nor settling this question; and therefore it is the bounden duty of the House to prevent such a consummation as that.

THE ATTORNEY GENERAL: I hope that all who agree with my hon. and learned Friend the Member for Richmond, in the opinion that household suffrage has in it essential merits to recommend it to the country as the basis of borough representation, will be prepared to go into Committee on this Bill. I agree with my hon. and learned Friend that the borough franchise is the main feature of this Bill; and I agree with him in placing, in a comparatively subordinate position, the attention and consideration which should be given to the other franchises which it contains. The borough franchise in this Bill rests on a principle intelligible and free from doubt; there is no obscurity about it. He who runs may read. The humblest individual in the kingdom, and the lowest in point of education, can understand this—that the borough franchise here contained is conferred upon the rated and ratepaying occupier of a house. If there be a word that requires definition it is this — the word "occupier?" You do not intend that it shall mean an individual who enters the house the day before the election and leaves it the day afterwards. Some description must be given of the word "occupier," and even in the democratic constitutions of America some conditions are laid down with which a man must comply to become an occupier within the meaning of the law. But it is introduced not for the purpose of excluding from the franchise those to whom it had previously been given, but simply as part of the description of those to whom it is extended, and the period fixed is a two years' occupancy. Admitting that the borough franchise will be placed on a wholesome basis by extending it to household suffrage, the arguments urged have been mainly directed against subordinate points — it has been argued that the manner, the form, and the condition on which we propose that the franchise shall be enjoyed is open to objection. I venture to ask, is there any justice in that mode of argument? Is it not our duty, first of all, to consider whether this basis be a sound one for the borough franchise? We ought to look at it first in the abstract, and to consider afterwards the manner, the form, and the condition (not the limitations) under which this ample qualification is to be enjoyed. We must bear in mind that the inquiry we have to make is whether this is not the most satisfactory mode left to us of settling the franchise consequent on the measure of 1832.. For collateral purposes it is no doubt useful to refer to our ancient Constitution; but in determining what ought to be done to-day we must take our departure from 1832—we must accept it as a fact. It is in vain to go further back. At the time of the passing of that Act two questions were argued—first, whether it gave promise in it itself of supplying the means of good Government; and next, whether it contained any principle of fixity and permanence? I admit frankly that I was one of those who thought that the measure of 1832 was objectionable upon both these points. I doubted whether a House of Commons elected under it would harmonize with the other parts of our Constitution; and I feared it would lead, at no distant day, to other and greater changes in the representation. I admit that I was wrong in thinking it unlikely to lead to present good Government; but it is another question whether the apprehension that it did not contain any principle of fixity has not been justified.

After the Act of 1832 passed, the then great Leader of the Conservative party foretold that it would ultimately be the duty of Conservatives to stand by that measure; and I will say that the Conservative party beyond all doubt have been loyal to that measure. Though they by no means approved the principle which fixed the limit of enfranchisement at the £10 householders, they were not the persons to break down the line. Of course, it was not right to surrender a stand-point, however imperfect, without being sure that it was the wish of the country really to abandon it. It has been stoutly maintained; but it has been found impossible longer to maintain it. I do not think it has been obstinately maintained; but the time has come when it was plain that the principle of the Act of 1832 must be extended. Everybody who has spoken in this debate has distinctly admitted that change of some kind was necessary; and, that being so, the question is, in what direction should we proceed? You cannot recede, you must take the direction of the Act of 1832—something must be done to extend the franchise; the existing line must be given up. Will you simply adopt another figure in place of the present one; or will you not rather look for some new and better definition of the franchise? The hon. and learned Member for Richmond (Sir Roundell Palmer) has distinctly admitted that household suffrage is a resting place, and a much more lasting one than any figure we can fix upon. It gives us, my hon. and learned Friend said, the very elements of a constituency.

I agree with that—defined as household

suffrage is in the Bill—namely, the rated and ratepaying occupation of a house. That is the principle which is advocated by the Bill now before us. It requires from the voter the possession of that which is of the first necessity, and the discharge of that which is the first duty in civilized society—the possession of a roof over his head—the discharge of his obligations to the State. I say, then, that if we have got to this point we have obtained a clear and definite principle, and one on which all may rely. It may not be comprehensive enough to suit some classes of Reformers; but I venture to say that it is comprehensive enough to satisfy any class of Liberals—at least, to satisfy that class which constitutes the majority of the party in this House. Another question may, indeed, arise, whether it ought to be accepted by hon. Gentlemen on this side of the House. But the experience we have had of former Reform Bills, the knowledge we have of the feeling of the country, the description of the class who are to have a vote—that is, any persons who have occupied their houses and paid their rates for two years—ought to take away from us all practical apprehension of danger from the immediate operation of the measure itself. The immediate and the important question for us to consider is, whether these qualifications do not give us as good a security for the exercise of the franchise as the fixing of a certain amount of rent. The other and more difficult question is, how far is this measure calculated to afford us the prospect of permanency? Now, in speaking of permanency in human affairs, nobody means immutability—we speak only of that degree of permanency which we expect to find in human affairs; and looking at the measure in that point of view, I say it does afford us the prospect of such a permanency. Nor do I now speak of permanency considered in reference to the life of an individual, but in reference to the life of a nation. What might be sufficient in dealing with the interests of an individual would be wholly insufficient in dealing with the interests of a nation, where we ought to expect that more than a quarter of a century will elapse before we are called upon to try some new experiment. And I say boldly that in this Bill a broad and distinct and yet flexible line is adopted which takes the first elements of the constitution of society, as to what voters must possess and the duties they must discharge. I say that in this you have the prospect of a permanency which it is simply idle to say that a £6 or an £8 rental would afford. The old argument would for ever return—why should those below £8, why should those below £6, be excepted from the franchise? But when it is decided that not any amount of rent, but the simple fact of being rated and paying his rates in respect of the house he occupies, entitles a man to the franchise, I maintain that you have here a prospect of permanence which does not exist in any other experiment that has yet been tried. I hold, therefore, that this measure is one which it would be wise for this House to adopt, comprehensive enough to satisfy all the reasonable demands of the Liberal party, and safe enough for the Conservative party to adopt.

Then I come to the objections which have been taken to the manner, the mode, the conditions on which this franchise is to be enjoyed. This, I must say, has hitherto been the whole burden of the arguments that have been urged against this measure. I maintain that the real place for the discussion of all these objections is the Committee. You have got the principle settled—the principle which my hon. and learned Friend the Member for Richmond says he approves of—the principle of the rated and ratepaying occupation of a house. [Sir ROUNDELL PALMER: I said a rated house.] Well, my hon. and learned Friend prefers to put it in that way. At any rate, we have got the principle of a rated occupancy fixed, and I say that everything else ought to be left to the Committee. But let us consider it. The first question with which we have to deal is whether the vote shall be given to the occupant of a rated house, or to the rated and ratepaying occupier of a house? Is it not a distinct and clear advantage that the occupier should also be the ratepayer? Is not that a guarantee when you are desirous of finding an instrument for good Government? It is said that this qualification was put in as a check to democracy. Is that necessarily an objection to it? We need not go back to find what was the precise basis of representation in our early history; but if we do so, it is clear that a Conservative element has always prevailed in this country, and in this House; and that in your Reform Bills you want a constituency that will work in harmony with the Constitution, that will continue to work, as the House of Commons has hitherto worked, in harmony with the House of Lords and the Sovereign; and I say that it would be no objection to the qualification of the rating and ratepaying clause if it were found to work in that direction; on the contrary, it will be an essential qualification if necessary for that end, and I say that this qualification is simply the description of a class. The occupier of a rated house is not enough; that description defines a class very different from that which is defined in the present Bill. I confidently put it to the House whether, for the purpose of the franchise, the rated and ratepaying occupier of a house is not a better description than the occupier of a rated house? I have little fear of the decision of the House if that question were put to it; and I have little doubt it would prefer a constituency of rated and ratepaying occupiers of houses rather than of the occupiers of rated houses, no matter who was rated or by whom the rates were paid. Then we come to the alleged inconsistency of permitting differences between the constituency under the old Reform Bill and the constituency under the new Bill. I ask you to consider on this point what is possible to be done, and what it is impossible to do. As I understand, it is admitted you must respect and cannot interfere with the old constituency established under the Act of 1832; and if that be the case, then I say that, in maintaining the existing constituency, you are not introducing safeguards or drawing distinctions between class and class. You are simply making a distinction between qualifications created in 1832, and qualifications it is thought right to create now. The different times at which the two measures were introduced will sufficiently reconcile the community to any distinctions that may exist.

I come, then, to the other arguments which, as I have already said, are more properly fit for the Committee. A great argument has been that the Bill is not adapted or applicable to the existing state of things. We are told that it is impossible to apply the principle of personal rating and payment of rates to those householders where the owner of a large number of houses compounds for them and is rated, and pays the rates. Why not? What is the difficulty? Surely it is a very simple process. You have got the simplest enunciation of the franchise, the rated and ratepaying occupier. Is there any difficulty in putting into words so simple a proposition? If any Acts of Parliament stand in the way, can they not be modified? Just consider what it is you propose. Simply that the occupier of a house shall have a right to insist on being placed on the rate book, and upon being put on the register on his paying such rates as are in the rate book, or as by law are due. Is there any difficulty in that? None. The right hon. Gentleman the Member for South Lancashire said that when the Act of 1850 was passed it effected a great social and moral revolution, by establishing a new mode of collecting rates; and, with an emphasis which those who heard him will not easily forget, he read this passage to explain the great social and moral revolution which took place—

> "Whereas the collection of highway rates assessed upon the occupiers of small annual value is expensive, difficult, and frequently impracticable, and it is expedient to make proper provision for the collection of such rates."

A Bill, then, the object of which was to remove difficulties in the way of collection of rates, is said to be a revolution:—a Bill to enable those persons who desire personally to be rated, and to pay their rates, and who say, "Put me upon the rate book; take my money; I am willing to pay," is said to stand in the way of a franchise which depends upon rating and the payment of rates. That is an extravagant proposition. It is said that you have numberless difficulties thrown in the way of the ratepayer. I have difficulty in enumerating the long bead-roll. There are, it is said, the difficulties of knowing the law; of knowing that he must obey the law; of finding where the rate collector lives; of claiming to be rated; of paying the rate; of claiming to be put upon the register; and finally, of seeing that he is put upon the register. There are other difficulties raised of this nature; but they are mere words, the meaning of which is lost in the sound. There is nothing in them. The whole of them comes to this—all that the occupier who desires to vote has to do is to claim to be rated, and to pay his rate. The proposition is so simple that I cannot understand how these difficulties can have any real existence, and if they do exist, I am sure they can easily be removed. A great deal has been said about the compound-householder being "fined" if he tries to obtain a vote. What is the meaning of this objection? Is it seriously intended that, in the long run, a contract between landlord and tenant will not settle itself; and that as soon as it is found that there are tenants willing to pay their rates, they will not find landlords with whom they could make arrangements for their rents consequential on that? It is simply a question of supply and demand. The whole difficulty, if there be one, would simply rest upon the first year or so after the Act came into operation. After the first year everything will be settled, and the occupier, if he claims to be rated and pays his rates, will get as much as he pays in reduction of rent. The landlord will ultimately lose nothing; he will not have any of the risks of payment. The tenant will be rated, and the whole argument of the compound-householder being "fined" falls to the ground fully after the Act comes into operation. I at first supposed that the right hon. Gentleman opposite meant to say that possibly the tenant might be called upon to pay a second time the rate which the landlord had already paid; but, of course, that is not so. Then it is said that the tenant may pay the rate, and may not be able to recover it from his landlord; but that is not the true construction to be placed upon the Bill as it stands. It was certainly not so intended. The whole question is covered by the 34th section. The tenant, where the owner is rated, may claim to be rated for the purpose of acquiring the franchise; and then the clause goes on to prescribe the manner and conditions on which he shall do so, maintaining the manner and conditions found in all existing Acts with respect to the payment of rates by persons who, as occupiers, are not liable to pay themselves, but who pay through their landlords. The construction and legal effect of the provision, as I understand it, is that the tenant paying the rate would have a right to deduct the amount of it from his rent. If that is not sufficiently clear, however, it could easily be remedied in Committee, and all dispute on the point avoided. The whole of this question of the "fine" rests upon the difference between commuted value and the full value for the first year or two after the Act has come into operation. The tenant is to pay the full value and the landlord the commuted value; and in some cases that may produce a difficulty for a year or two, but it only comes to this after all—that the question of paying the full value is open to consideration. However, I believe it is right that the occupier should pay the full value. The petition from the people of Wolverhampton, recently presented in "another place," says that "a claim to vote should be supported by giving up the relief of composition and paying the full rate." I believe that that is the sound view. That if a man chooses to claim the franchise he must pay the rate in the same manner as other ratepayers, and the most that could happen would be that he would pay the difference for the first year or so until the law of contract stepped in, and the form of contract would be so altered as to set the matter right. I do not believe that there would be any practical difficulty in the case.

We now come to a further argument of a very remarkable character. It is said that this provision will give great facilities for bribery—it is said that these voters will be handed over to political agents who will say to the tenant, "We will claim the vote for you, and we will pay the rates;" and it is said that there will be no difficulty in doing this, and that there will be no way of preventing such a course by this or any other Act of Parliament. But I say that, where you have a candidate who is above bribery, and electors who are also above bribery, there are no facilities and no danger; but if you have a candidate and electors who are, the one willing to give and the other willing to receive bribes, it is idle to talk of facilities for bribery. All that is wanted is that there should be money or money's worth to change hands, and there are no greater facilities for bribery given by this Bill than existed before. As the law exists now there are unlimited facilities for bribery by the payment of rates. I cannot, therefore, understand how we are said to be handing over the voters to the political agents. May not other classes of voters be handed over to political agents also? Is this handing over peculiar to one class? May it not be just as easy, if you take a household voter under a household suffrage pure and simple, or if you take a £5 voter? And if you take universal suffrage, may not the result be that the voters may be equally liable to be handed over to political agents, until you have Government in one place by a "caucus," and in another place by an Emperor? It is idle to say that you hand this particular class, more than any other, over to the political agents. It is an idle argument, of no avail. The real question for consideration is—Is this Bill founded upon a wise and sound basis for a borough franchise? I venture to say that it is. The borough franchise, which is the real main feature of the Bill, stands upon grounds which cannot be controverted by any moderate Liberal. It may be open to question from those who have Conservative instincts and Conservative associations. Many of us have, doubtless, felt that there were grave considerations to be entertained before the Bill should be adopted; but we have felt that it was necessary that the franchise should be extended, and that we should come to some point that would afford a chance of permanence. It may be said, "If these are your views why do you not stop somewhere on the road? Why do you not try something farther in the shape of an £8 or a £6 rental?" My answer to that is that if you begin changing in that manner now you will be more rapid in your descent than if you make a broad change, and get to a more secure resting place at once. You would go on much more rapidly in your changes when once you had begun, and it would be most dangerous. When change becomes necessary and inevitable, it is better to make it at once—not with an idea of immutability—but selecting some line, some resting place, better than any amount of rental, such as household suffrage—and I am glad to have the authority of my hon. and learned Friend (Sir Roundell Palmer) for saying that household suffrage does afford a great security—for something like permanence. And I say, that with the conditions we propose, though we have not household suffrage pure and simple, but qualified by residence and payment of rates, we have reasonable assurance of permanence.

I shall not trouble the House by going into the other franchises. My hon. and learned Friend, however, thinks that a lodger franchise is a good franchise. If you go into that, however, in the spirit with which this Bill has been examined on the other side, I venture to say that it is far more impracticable and impossible of execution than anything to be found in the present Bill. Under the Bill as it stands every lodger whom it would be desirable to admit will be able to acquire the right of voting as an investor in the funds or in a savings bank, or by virtue of the educational franchise. There you will find all the elements for realizing what you desire from a lodger franchise; and no lodger whom it would be desirable to admit would be unable to acquire the suffrage. The difficulty of admitting the lodger as such is great, compared with the ease with which he can be placed upon the register by one of these other modes. My hon. and learned Friend asks us why we select one particular kind of investment, and do not select any other description of personal property? The reason is obvious. We do not take investments in trading or commercial speculations, which are constantly fluctuating; but we take investments in the national funds, which are ordinarily made with a view to permanence, and we say that if a man has a given amount of money in these for a certain period, you have in that fact a satisfactory presumption of his eligibility for the suffrage.

For these reasons I venture to think that the special franchises, as well as the borough franchise, stand on a safe foundation. As to the county occupation franchise, there is really nothing to discuss upon the second reading. Everybody is agreed that it ought to be extended, and the question, What should be its amount? has to be determined in Committee. So, again, with respect to the re distribution of seats—the moment it is conceded on the one side and the other that some enfranchisement and some disfranchisement are necessary, the principle of the Bill on that point is thereby admitted. In fact, there is only one question upon which there is any difference to be discussed on the second reading of the measure, and that is the borough franchise. I say the principle on which this Bill rests that franchise is the most favourable conclusion which the country is left to deduce from the Act of 1832 and its consequences. This measure is consequent upon that Act; and nothing, I think, remains for us that is more capable than this Bill is of forming a constituency which is likely to produce in the Members it returns an instrument of good Government adapted to the present circumstances and requirements of the country, and that there is no other basis to which you can point as affording so sure a resting-place for the franchise. For these reasons I trust the House will not only be prepared to assent to the second reading of this Bill, but will also in Committee see whether, by adopting household suffrage, defined as it is by the Bill, as the basis for the borough franchise, a measure may not be passed which will prove satisfactory to the country.

Sir FRANCIS CROSSLEY had always felt it his duty to support the Government of the country as far as with consistency he could. It had been said—

> Uneasy lies the head which wears a crown—

and if that were true the Prime Minister of this country had difficulties enough to encounter without having to struggle with a factious opposition in the House of Commons. He (Sir Francis Crossley) had been sent to Parliament for two objects:—first, to sustain and extend the principles of free trade, and secondly to extend the franchise to the working classes. With regard to the former, he was well satisfied with the legislation of the last fifteen years in which he had taken part; but as regarded Reform he had been miserably disappointed. He had seen it bandied from side to side and from Government to Government. They had had Liberal Ministers who really cared about it; but they had had others to whom it was merely a profession. During the whole time he had sat in that House, however, he had never seen a more general disposition to settle a question which blocked the way to wise legislation on other matters, and was a serious injury to business. Looking at the conduct of the present Government towards their predecessors last year, he agreed with the noble Lord the late Secretary for India (Viscount Cranbourne) that not much indulgence for the Bill could be looked for from the Opposition Benches; but he did, nevertheless, hope that bye-gones would be allowed to be bye-gones. He did hope that there would be more disposition to pass a good Bill than to make small holes into large ones. He did hope that the House would do its best to amend the Bill as far as it was possible, so as to make it a practical measure and one capable of settling the question in a manner satisfactory to the country. If he understood the measure, it professed to extend the suffrage by a plan which would give it at once to all ratepayers, and would leave it to compound-householders to extend it amongst themselves at their pleasure. If that profession were really carried out he did not think there could be much objection to the Bill. He did, indeed, very much prefer that which had been brought in by the late Government last Session, because it selected the best portion of the working class to be enfranchised; whereas the present Bill left it to the householders themselves to claim to be put upon the register. Still, there was something to be said for the present proposal; for it would be a great convenience to make the rate book the register. He thought the Government must allow that the right hon. Gentleman (Mr. Gladstone) had shown the Bill would not do without alteration; for in many boroughs where the Small Tenements Act had been partially adopted all the householders on one side of a street might be enfranchised, whereas very few on the other would have the same privilege conferred upon them. It seemed to him that the Small Tenements Act should be made compulsory; that all householders above £5 should be obliged to pay their own rates; and that it should be left optional to those under £5 to claim to be rated and to be put upon the register. Then would come a question as to the amount of the composition. No doubt the landlord, as a wholesale customer, should be allowed to pay wholesale prices, while his tenant ought to be left to pay retail prices; but still, when the difference came to be 50 per cent, the difference struck him as too great. There were some parts of the Bill which appeared to be given up by general consent. For example, there was dual voting. The Solicitor General complained that no argument had been brought against it; but the hon. and learned Gentleman's own illustration was argument enough to condemn the proposition. When he pointed out that a £4 householder who paid 20*s.* a year in assessed taxes would have two votes, whereas a ratepayer of £50 or £100 a year might have only one, he had said quite enough to dispose of the plan. With these there was the question of voting-papers, the adoption of which he feared would lead to great abuse. They could not establish from the use of voting-papers in the election of guardians a rule with respect to the voting for Members of Parliament. With them there would be nothing easier than for a wealthy man to obtain a qualification in every county in England. He believed that he himself could at present vote for eighteen Members of Parliament; but if voting-papers became the law, he could extend his franchise to 200. In his judgment, if there was any objection on principle to dual voting it applied with tenfold force against voting-papers. There was one point in connection with the payment of rates on which he hoped the Government would give way, because they could do so without the surrender of any principle. What they required was that a man who wished for a vote should make his claim himself, and pay his own rates; but why should they bind him to a particular day for that purpose? They all knew that the men who collected the rates in boroughs were generally political partisans, who when an election approached took care to get in the rates from their own friends, but in the case of their opponents forgot to go until the day after the election, and so the vote was lost. But that was not the worst. In cases where parties were pretty equally balanced in a borough, and where party spirit ran high, there were men to be found who, although they had plenty of money for everything else, were always a few shillings short for their rates. Electioneering agents would soon get a friend to pay the rates for those who were short, and the process acted injuriously in this way—that when an honest man found that his neighbour had got his rates paid at one election he himself hung back for similar payment next time. Why, then, insist on the payment of rates when there was always a certainty of their being recovered? The Government required that a man should himself put his name in the rate book; but there was no security to make him in addition pay his rates, as a preliminary to voting. If the Government withdrew this condition the rates would still be paid, so there need not be any difficulty about the matter. With regard to the county franchise, he hardly had thought that a Government having the same leaders as in 1859, and who came down then to the House to propose that the qualification for the county franchise should be £10, could now come down and say that that franchise should be £15 rating. Let him look at that proposition. Her Majesty's Government said, "If you extend the franchise to the working classes you must have a counterpoise;" but he said, that if they wanted a counterpoise the best way to get it would be to fix the county franchise at £10 rental, because the houses in counties were better than the houses in towns, and were occupied, not by the working but by the middle classes. Therefore, if they wanted a counterpoise to the boroughs, there was one ready to their hands. He certainly expected, both from the House and the Government, that they would not have anything worse than the Bill of last Session, but that at least the county franchise would be lowered to what was then carried by a majority. With regard to the redistribution of seats, he thought that the present measure was defective in not going far enough; but, that in as far as it went, it would bear a comparison with the proposal of last Session. The giving a third Member to places where they were not wanted was not so good as dividing the counties, and giving Members to places which had recently grown into importance. What the present measure was defective in was, that it stopped short in settling the question. He thought it would have been better to deal with the question now, than to leave it open until after the Reform Bill had come into operation. He had one word to say with respect to the disfranchised boroughs. There was no one in that House who would go further in the punishment of bribery than himself; but he did not wish to punish the innocent with the guilty. Those boroughs which had been exposed were not so much worse than many others that they should be altogether deprived of Parliamentary representation. The deprivation of one Member would in his judgment be sufficient punishment, and the right hon. Gentleman could prosecute those who should be found guilty of offering or receiving a bribe. He did not wish to overlay the present Bill with all that he thought necessary to be done as remedies against bribery; but he feared that they never would find a sufficient remedy until they had obtained the ballot. Suppose they were to begin by trying the experiment of the ballot in a few places, when he believed it would work so well that it would soon be adopted in all the constituencies.

Mr. HARVEY LEWIS said, that difficult as this question undoubtedly was, he was bound to say that if it were approached on both sides of the House in the spirit which had been developed in recent speeches much of the difficulty would vanish, and they would come to the question with a more anxious desire to settle the matter than had been exhibited hitherto. For his own part, he must say that he had a strong desire to come to some settlement of the question. He believed that it had been too long bandied about from one party to the other, and that both parties were overlaid with promises which there was little hope of getting realized. Therefore it was that he listened with great pleasure to the Chancellor of the Exchequer when he rose to address the House, and proposed a measure which he intended should settle this question. Now, the House of Commons must decide one way or the other what was to become of this Bill. If they on both sides of the House were anxious—and he believed that those on the Government side were sincerely anxious—for a settlement of this question, he did not see any reason why they should not pass a just, fair, and reasonable measure of Reform in the present Session. He considered that it would be a reproach to the House if they failed to pass such a measure. When they considered that in this country the settlement of almost every great question was a compromise between the two great parties in the State, he thought that they were bound to settle the present question now when they had the opportunity of doing so, and not to allow any light matter or difficulty to intervene between them and its settlement. He was bound, however, to say that there were some great and serious difficulties to be overcome before arriving at that desired consummation. Representing as he did a great and important constituency in the metropolis (Marylebone), he regretted to perceive that London was practically ignored in this Bill. When he heard of a proposition to increase the representation of Scotland, whose claims he admitted were great, he confessed he was surprised at seeing London treated with such neglect. Since the great Reform Act of 1832 London had almost doubled in size, in population, and in wealth. It seemed, then, most extraordinary that the state of the representation of London should be left nearly in the same position as it was by the Act of 1832. He also complained of the total absence in this Bill of a lodger franchise. Considering the high rents paid in London, both for houses and apartments, he was at a loss to conceive any sound reason why the lodger franchise should be omitted from the Bill. Although lodgers might be considered as rather migratory individuals, he thought that a residence of twelve months in the one house ought to entitle a man to the franchise. As far as London itself was concerned, he did not think that any Reform Bill would be satisfactory without a lodger franchise. It was true that people of a certain position might obtain the franchise by placing a certain sum of money in the funds or the savings banks; but what was to be done for the cream of the working classes employed in London who only occupied apartments in a house, but paid good rents every year for such accommodation? He was decidedly opposed to the principle of dual voting, believing it to be unjust and totally subversive of the Constitution. It would give rise to further agitation, and had a tendency to set class against class. He thought that the provision regarding dual voting was so objectionable that he was determined to give it his most strenuous opposition. The question of compound-householders was also one to which he had the strongest objections. It was no doubt right and proper that the voter should contribute in some degree to the State; and he contended that the compound-householders who were brought into existence by the Act of that House contributed their quota to the State by the payment of rates through the hands of their landlords. When they asked a man to pay directly himself the whole rate of the house he occupied, they were in reality depriving him with one hand of the franchise which they professed to give him with the other. Practically, the landlord was only the agent of the compound-householder, for he charged him in rent the amount which he paid for him in rates. This question was one, however, which he thought might be settled in Committee. With regard to the use of voting-papers, he was strongly opposed to the proposal; for he believed that however well the system might work in the case of the Universities, their use in large boroughs in Parliamentary elections would open up bribery, corruption, forgery, and fraud of every kind. He should therefore oppose that part of the Bill as not coming within the constitutional principle which the right hon. Gentleman the Chancellor of the Exchequer had laid down as the basis of the Bill. He hoped the House would hear no more of charges of inconsistency and references to previous Bills, for they had had quite enough of the *tu quoque* line of argument, and the wisest policy was to profit by experience, and to avoid those mistakes which had hitherto impeded a settlement of the question. Any party which effected that settlement would deserve the gratitude of the country, for while the public mind remained unsettled our national prestige was impaired, and we appeared to the world a divided people. It would be a great and serious reproach to them if they could not lay aside all party prejudices and feeling, and by mutual sacrifices satisfactorily settle the question for at least this generation. He had never been a party to obstruct any Government, and he never would give his vote against a fair and liberal proposition simply because it came from the Conservative side of the House. He again expressed a hope that this question would be settled this Session.

MR. LIDDELL said, that if they could all bring their minds to approach the subject under discussion in the spirit which had been exhibited by the last speaker, a settlement of the question might be nearer at hand than many persons expected. Before examining the provisions of the Bill, he should like to say one or two words upon the general aspect and position of the question. He, for one, concurred in the opinion expressed by the hon. Baronet (Sir Francis Crossley) that it was desirable that a settlement should, if possible, be arrived at in the present Session; for there was, he thought, great force in the remark which had a few evenings ago been made, to the effect that the country must be looked upon as disunited so long as it was postponed. The state in which it at present stood produced feelings which they must all regret, and which could only be allayed by the removal of the grievance. In order to arrive at that settlement great sacrifices must be made. The sacrifice of place was often a small sacrifice to make to obtain the confidence of the people in the sincerity of public men. But there were other sacrifices than those of office; there were sacrifices of opinion (or prejudices as some might consider them, which had not been rashly formed, but had been long entertained), and these sacrifices were very painful to honourable men. Such sacrifices had, however, been largely made at the shrine of public duty, and he believed they would be considered by the public as proofs of the sincerity of our public men in an attempt to settle this question. He wished now to make a few remarks upon the Bill before the House. When he first read the Bill it reminded him of a very pithy saying of the late Sidney Smith. A friend asked him if he had seen a certain new book; and his reply was, "Oh, yes, I have seen it and read it; and it contains a great deal of what is both new and true; but what is true is not new, and what is new is not true." That was a not inaccurate description of this Bill. The county franchise was true—it was a *bonâ fide* reduction of the franchise—but it was not new. It was nearly identical with the proposition of last year; and he thought it would have been wiser, and more respectful to the House if it had been identical. He thought it would throw into the counties a large amount of the town element, which would alter their constituencies; but that was one of the sacrifices which he thought those on the Ministerial side of the House were prepared to make, in order to arrive at the solution of the Reform question. The borough franchise, on the other hand, was a new franchise; but it was not, as it stood, a true one—that was to say, it did not propose a *bonâ fide* reduction. It was undoubtedly open to the accusation which had been made against it, that it took away with the one hand what it gave with the other. Now, he had always thought that when once the House of Commons made up its mind to depart from the present resting-place, and to confer the franchise on those who were anxiously desirous of possessing it—and there were many of the working classes, in his opinion, deserving of it—it should act in an ungrudging and unsuspicious spirit. He entertained that view, because a gift frankly conferred was likely to be valued; while a boon wrung from Parliament was likely to be regarded, not as a gift, but in the light of a victory. He would prefer giving less and giving freely and *bonâ fide* than to give more, and by some ingenious process to draw back again that which he appeared to give. These remarks were applicable to the dual vote, which the House, he believed, was not disposed to accept, which the country did not understand, and which he therefore looked upon as doomed. As the Bill was a measure of checks and balances—or, to adopt the phrase of the Chancellor of the Exchequer, compensation balances—it behoved the House very carefully to weigh those balances before going into Committee to see whether they might not be found wanting. He, for one, was not prepared to vote for household suffrage, which he did not believe that either the House or the country desired. Household suffrage was said not to be the proposition before them; but he wanted to look well at the safeguards, limitations, securities, or balances, or by whatever name they were called, upon the Motion for the second reading of the Bill, or else by some accident or other they might find them tumbling, they knew not how, into household suffrage in Committee. The safeguards in the Bill were three in number. Dual voting was one—but he looked upon that as gone. Then there were, besides, residence and rating. With regard to a residential qualification, it was a curious fact that the residence required for a municipal voter was longer than that proposed for a Parliamentary voter. In the first case, it was a residence of two years and eight months, and in the latter it was a residence of two years. The attention of the House had been drawn by the hon. and learned Member for Richmond (Sir Roundell Palmer) to the valuable Report of the Committee of the House of Lords on the working of the municipal suffrage; but he must say that that Report had made a different impression on his mind from that produced on the mind of the hon. and learned Member. He would appeal with great confidence to the majority of the fifty-eight boroughs which had adopted the Small Tenements Act, by which the municipal voter was not required to pay his rates, but obtained his vote by residence, and would ask whether they were satisfied with the working of the municipal suffrage as it now stood. He believed that their reply would be in the negative. A curious fact had appeared in connection with the municipal suffrage. The town of Great Yarmouth, which he had never understood to be very remarkable for any great sensitiveness on the subject of purity of election, adopted the Small Tenements Act shortly after its passing; but so great were the scandals and increase of cost which occurred in the municipal elections that, at the end of two years, Whig, Tory, and Radical unanimously agreed to put an end to the operation of the Act in that town; and the increased rates collected under the Small Tenements Act were sacrificed in order to obtain greater purity of elections. He thought that case constituted a warning against the adoption of a simple residential franchise, which did not produce that independent class of voters best qualified to exercise the privilege. The next safeguard in the Bill was the rating qualification; and he thought that there could be no doubt that that was a good provision. It had evidently received the approval of the House, and he thought he perceived in quarters hostile to it last year a certain leaning towards it this year. But when they came to the practice, he was bound to say he thought any man of common sense and judgment would admit that the objections urged on account of the existing state of the law in respect to rating were so strong that unless a change in the law were proposed the principle of a personal payment of rates, which was the only safeguard in the Bill against simple household suffrage, became extremely difficult to adopt. He thought that the right hon. Gentleman the Member for South Lancashire had dwelt too much on the "fine" imposed on the voter by being called on to pay the difference between the full amount of rate and the composition, according to which the owner undertook to pay the rate for all occupiers in places where compounding was not in practice paid the full amount of rate due. Then the right hon. Gentleman tried to make much of the point that the occupier paid the rate in his rent. But it so happened that an owner of small tenements who was examined before the Committee of the House of Lords stated that since he was rated for those premises he had not increased the rent on the occupier except in three instances, that he preferred taking a lower rental to getting an indifferent tenant, and that he was so much out of pocket. Whatever subtlety or refinement the right hon. Gentleman the Member for South Lancashire, or the hon. and learned Gentleman the Member for Richmond might employ, he (Mr. Liddell) should not be persuaded that individual responsibility could be so efficiently secured as by the personal payment of rates. If Parliament once accepted the principle of a rating qualification as the basis of the Parliamentary franchise, he thought it would not be difficult to alter the law in respect to compound-householders so as to make it work well. The present state of the law placed too much power in the hands of the overseers for making bargains with owners of houses, and also placed the compound-householders under the influence of registration agents all over the country. He should have liked to have seen this mode of rating altered before rating was made the basis of the Parliamentary franchise. His noble Friend who usually sat by his side (Viscount Cranbourne), in the course of the observations he made the other evening, said, "Don't trust to personal rating; because, depend upon it, the soreness and irritation that will be produced in the voters will be such that the very first Parliament elected under it will sweep it away." Now, his answer to that was a simple, but he thought a complete one. They must trust those whom they intended to invest with political power; and, whatever the conditions, if reasonable, plain, and moderate, which Parliament chose to attach to the possession of the franchise, the voter's fulfilment of them would be the test of the sincerity of his desire to obtain the vote, as well as of his intention rightly to exercise it.

There were two other points on which he wished to say a few words. Great complaint was made against the Bill because it did not contain any provision for the enfranchisement of lodgers. He thought it well worth inquiry whether it was wise to enfranchise lodgers as a class. Of course, the class comprised a great many highly-respectable persons; but the very word "lodger" implied an unsettled condition. Evidence was better than argument. A most respectable working man was asked before the Committee of the Lords on the Municipal Franchise some questions on this subject. He had raised himself to an independent position, and even thought of becoming a candidate for one of the wards in the town where he lived: he said he had resided in the town for twenty-one years; during thirteen or fourteen years he had worked on a railway, but during that time he did not care a bit about town affairs: he took no interest in them till he had a house of his own and paid his rates. That was his description of a working man's own feelings, and he (Mr. Liddell) thought it was as applicable to things Parliamentary as to things municipal. A young man in that position, probably a lodger, if he did not care to meddle with the election of those who were to take charge of lighting, draining, ventilation, and everything which touched his social and sanitary interests, could scarcely be expected to take an interest in Imperial matters. Therefore, he saw objections to the enfranchisement of lodgers as a class. But the lodger, if an educated man, would have the franchise under the Bill; if a prudent and saving man, he would have the franchise under the Bill; if he was fond of amusement and, like most of them, got the key of the door from the landlord, he would have the franchise under the Bill—he would then be a tenant, not a lodger. He would show by the small sacrifices he would have to make that he was anxious to obtain the franchise, and that was a tolerable security that he would exercise it well. He therefore did not join with those who thought it essential to enfranchise the lodger class. Of course, in London this became a great question, where, from the dearness of houses, the lodger class was, *ex necessitate rei*, a very numerous one; and London had certainly very strong claims to a lodger franchise. With regard to the re-distribution of seats, he agreed that the scheme of the Government did not go far enough; he ventured to think a much larger scheme would have been more in accordance with the wishes of the House and the actual claims of the country. But then it must be considered that the larger the scheme, the more numerous would be the enemies which it would arouse, and therefore the Government had to consider what they would be best able to effect. His chief objection, however, to the smallness of the Government scheme was, it did not do what they had for years urged on that House; it did nothing to redress the inequality between the borough and county representation. Whether they considered population, growth of wealth, number of electors, or the number of members, the counties were vastly under-represented in that House. The boroughs returned 334 Members, and there were only 162 county Members. The scheme of the Government was just, so far as it went; but it did not go far enough. It left the great existing inequality unredressed, for it equally divided the number of seats available between the boroughs and counties. This was a matter which ought to command the attention of Parliament with a view to a remedy. An hon. Friend last night announced a scheme, which he did not very well understand, to include in the borough agricultural areas outside; but, then, he said the over-represented counties must agree to part with some of their Members. If his hon. Friend would point out to him where the over-represented counties were he would agree with him; but he held that the counties were not over-represented, but under-represented, by whatever test they chose to apply. He thanked the House for the kind attention with which these remarks had been received. He had endeavoured to make them not from one particular side of the question or another, being sincerely anxious that this question should be settled. He was sure that could only be done by sacrifice of opinion not on one side only, but on both sides. Many of those on the opposite side had, to their honour, expressed their willingness to sacrifice opinions. Those on the Ministerial side had made great sacrifices; and it would therefore be hard if they could not deal with this question and really settle it upon a broad and intelligible basis that would be satisfactory to the people of this country.

Mr. PERCY WYNDHAM said, he was glad to find that the second reading of this Bill was not to be opposed, because he never could admit that so grave a question as Parliamentary Reform could be the exclusive property of any one party. The great Reform Bill of 1832 was opposed by a number of persons who by birth and education were Liberals, as well as by Tories; and it was perfectly true that the Bill of last Session was opposed—unwisely, as he thought—by those who now occupied the Treasury Bench; but it must be remembered that the first great blow it received, and from the effects of which it never recovered, and the finishing stroke, to which it at last succumbed, were not aimed by members of the party who were then in Opposition. He remembered the feeling of satisfaction with which he listened last Session to what he considered the modest proposal of the right hon. Gentleman the Member for South Lancashire when he brought forward his Bill; and that feeling, he believed, was shared in by some of those who sat near him. But a change came over the spirit of the dream of those now in office, and it was determined to oppose the Bill by every means and at all hazards, and, as a party man, he supported them in their efforts to accomplish it. On the present occasion, however, he hoped a similar policy would not be pursued. The country was in an unhealthy state; and without referring to the Hyde Park riots, or the Trafalgar Square meetings, which he was ready to accept for what they were worth, they found wherever they went, whether in town or country, that no man was satisfied with the present House of Commons on the question of Reform, and the easiest criticism they met with was a good-natured jeer, which to his mind was more dangerous than the mere riots of a mob. With regard to the question of rating or rental, the right hon. Gentleman the Chancellor of the Exchequer, in alluding to a vote that was taken on the Bill of last Session, said that the House by instinct had arrived at a great principle in our Constitution. Now he (Mr. Percy Wyndham) must say that on that occasion he arrived at a conclusion by instinct as contradistinguished from reason, for he gave his vote, as he had given many previous votes, for the mere object of getting rid of the measure neck and crop. When they were told that there was a difference between rental and rating for the basis of this question—no doubt he had not gone so deeply into the matter as other hon. Members had—he believed that each had its advantages, its difficulties, and its defects as the basis of the franchise; but when they were told that one had transcendent qualities over the other, he confessed that he could not see it. His hon. Friend the Member for Lincolnshire (Mr. Banks Stanhope) alluded to what had been called "the ten minutes' Bill," and said it did not meet with the approval of hon. Members on the Ministerial side of the House. He (Mr. Percy Wyndham) strongly disapproved of that Bill. It appeared to him that it was a very feeble measure, inadequate to the occasion; and really if they got rid of the distinction between rating and rental, it was a luke-warm *réchauffee* of the Bill of the right hon. Gentleman the Member for South Lancashire. He should like to see a very wide measure of the re-distribution of seats based upon philosophical principles; but the principles laid down by his hon. Friend the Member for Canterbury (Mr. Butler-Johnstone) he considered too Utopian. That measure was not, however, then under discussion; he would address himself further to the franchise question. If the present Bill were opposed on the Motion for going into Committee, he should certainly vote in its favour, but he regretted that they had not as yet heard from the right hon. Gentleman the Chancellor of the Exchequer what the Government intended to stand by and what they intended to abandon; and he protested against their being called upon to vote for portions of the Bill which perhaps it was the intention of Her Majesty's Government to withdraw. When they got into Committee every vote that he gave would be decided on the merits of the clauses, and he intended rather to support the Bill of the Government than the Government itself; because he thought it essential that, whatever the wording of the Bill might be, as it then stood, the actual bearing and effect of the clauses should be in accordance with the words of those clauses. And if the patient should prove to be of too delicate a constitution to bear this medical treatment—if he should sink beneath the hand—though he would greatly regret that they had not arrived at a settlement of this question during the present Session, he would rather trust to the good sense of the English people to defer the settlement to another Session, rather than to press the adoption of a bad measure, which would only disturb and unsettle everything, and tend to promote agitation.

MR. LAING said, it struck him forcibly that the House of Commons were drifting on this question in a manner not very creditable or satisfactory. He was to-night reminded of the position of the House some years ago, when they drifted into the Crimean war for want of a clear understanding of the principles on which they were proceeding. It was therefore incumbent on those who had devoted any thought and attention to the question to contribute their information and opinions towards the general stock, with a view to prevent any drifting into Committee with a bad Bill and getting out with possibly a worse one. He believed that the opinion of the majority of that House was that the Bill of the Government in its present form was a bad Bill, and one that ought not to be passed. He thought also that the majority of the House of Commons were desirous of substituting an alternative measure which would be accepted as a practical settlement of the question. He further thought it evident that the House and the country were anxious to arrive at a settlement of the question in the present Session, and would therefore substitute a good measure for the present bad measure, if they could do so without involving a Ministerial crisis, and throwing the whole thing over for another year. Looking at the matter from that point of view, he wished to state in what respect he regarded the present Bill as a bad one, the nature of the measure which he thought might be accepted, and the course which might be adopted by both sides of the House in order to arrive at a satisfactory settlement. He did not pretend to more consistency than his neighbours, and he was anxious, therefore, not to say a word that might be construed into taunting hon. Gentlemen opposite with having changed their opinions; but he could not help feeling bewildered at the position of almost standing with the hon. Member for Birmingham (Mr. Bright) on "the old lines of the Constitution," and offering a defence against the reforming vehemence of right hon. and hon. Gentlemen opposite, whose zeal had, he must confess, somewhat outrun his own. He had always believed that if the Reform settlement of 1832 were ever reopened, it ought to be dealt with in a manner which would give a complete, comprehensive, liberal, and yet Conservative solution, by which all parties could abide for many years to come. On that ground, and on that ground alone, he opposed the measure of last year, so long as the then Government left out the redistribution of seats. He felt that whatever might be the anomalies with regard to the franchise, the anomalies with regard to the re-distribution of seats were still more flagrant. He would touch briefly on what the present Bill proposed to do in that respect. He held as strongly as he did last year that in order to make a permanent settlement of the question the Legislature must deal with the re-distribution of seats; and if they dealt with that question in an obviously inefficient manner they had better not touch it at all, because they would only be deferring the discussion to a future opportunity. In this respect the distinction between the present Bill and the Bill of last year was very conspicuous. The Bill of last year proposed to re-distribute forty-nine seats, which were to have been obtained by taking away one Member from all boroughs returning two Members, and having a population under 8,000, and by a system of grouping the smaller boroughs. The present Bill drew the line at 7,000 inhabitants, where one Member was to be taken away, and did not propose any grouping of the smaller boroughs. The result would be to leave eight boroughs returning two Members each, which would by the Bill of last year have each lost a Member. Those boroughs were Bridgnorth, Bridport, Buckingham, Chichester, Chippenham, Cockermouth, Newport (Isle of Wight), and Stamford. He would read the names of the eight corresponding large towns or cities which would still be left with only two Members each. He left out the metropolitan boroughs returning sixteen Members, which were exceptional in circumstances. Those boroughs were Liverpool, Manchester, Glasgow, Birmingham, Dublin, Leeds, Sheffield, and Edinburgh. The population of those towns or cities was, in round numbers, 2,500,000; while the population of the eight boroughs excepted from partial disfranchisement by the present Bill was only 60,000. He did not put this matter as one of population merely, but on higher ground; because it was not a question merely of population or of dividing the country into electoral districts; but he put it on the right of national representation in the great cities, which were important centres of national life. He would put it to any hon. Member whether those towns were not important centres of national life, whose opinion on any great question, such as a foreign war or a renewal of the Bank Charter Act, did not carry great weight; and whether the opinion of the inhabitants of the other eight towns would weigh, or ought to weigh, in the scale against that of the large towns he had mentioned. The Bill of last year would have given a third Member to those large cities; but the scheme of the Government would not do so, and in his opinion it was miserably inadequate and unsatisfactory, and if adopted would not afford any fair chance of a final settlement of the question. By disregarding the principle of grouping they left as returning one Member each a number of boroughs—he would not call them towns, for they had been properly described as "decayed villages"—in the West of England. He would read the names of the eleven boroughs, each having a population under 5,000:—They were Arundel, Ashburton, Dartmouth, Evesham, Honiton, Launceston, Lyme Regis, Marlborough, Northallerton, Thetford, and Wells. Contrast these with eleven boroughs—large towns—which return only one Member:—Salford, 105,000; Dundee, 90,000; Merthyr Tydvil, 83,000; Aberdeen, Swansea, Birkenhead, Dudley, Cheltenham, Rochdale, Bury, and Walsall; the population of these places varied from 40,000 to 100,000. The population of the eleven large boroughs was 655,000, while the eleven small boroughs, with a population of no more than 44,000, had a larger representation; or, to put it in another way, eight of the small boroughs returned two Members each, and eleven of them returned one Member—in all, twenty-seven Members were returned by boroughs containing in all a population of 104,000, which was smaller than that of a single town like Salford. But this discrepancy in the population was not the only objection to the scheme. The present geographical distribution of political power in the country was eminently unsatisfactory. The progress of commerce and industry in the North had developed largely all the elements of political life, and the advance of those districts had been out of all proportion to that which had taken place in the South, yet the power of the representation remained in the South. Thus, of the two counties of Wilts and Dorset, the population of Wiltshire was 248,000, and had eighteen Members; the population of Aberdeenshire was almost the same, equal in numbers, wealth, and intelligence, and it had only two Members. The population of Dorsetshire was 188,000, and had fourteen Members; the population of Ayrshire was exactly the same, and had only two Members. Now, anomalies such as these must be dealt with, and with a liberal hand, if they wished to construct a system that was likely to last. He said confidently that no plan of re-distribution would be acceptable to the country or to the House that fell below the standard of last year. He thought, indeed, that 10,000 was the lowest limit of population which should entitle boroughs to return two Members, and that all boroughs with a smaller population returning two Members ought to be deprived of one, and perhaps have the system of grouping applied to them. It might be, too, that the larger cities of the county should send three Members instead of two, and some system be devised by which their minorities might be represented. At all events, he thought it would be necessary to double the representation of those cities which possessed more than 50,000 inhabitants, and which at present returned only one Member.

With regard to the borough franchise, it was of the utmost importance that the House should remember that the extent of the proposed enfranchisement depended altogether upon whether the checks at present in the Bill were struck out or not. It was estimated that there were 723,000 male occupiers in boroughs living in houses under £10, the whole of whom would be admitted to the franchise if the checks proposed were not agreed to; while if all the restrictive provisions were maintained, the number of these that would be enfranchised became quite insignificant. Now, the principle of personal rating was the one upon which the real character of the measure—whether it was a democratic or a restrictive measure—must turn. The other proposed checks could be easily disposed of. If it had been proposed in the first instance to insist on two years' residence for the whole of the constituency, the proposition might have passed; but it would be simply impracticable to require half the constituency to qualify by two years' residence, and the other half by only one. The check called the dual vote had already been condemned. It was not a point upon which he felt strongly, and he was willing to admit that if some description of plurality of votes had come down with the Constitution from the days of Pym and Hampden, he should have been inclined to think it as good as the principle now adopted. It was clear, however, that no party in the State was strong enough to entertain the smallest prospect of being able to carry such a proposition. Hon. Members who held by the theory *credo quid impossibile* might believe in such a scheme; but for his own part, he looked upon it as impossible, and therefore dismissed it from his thoughts. Well, then, he came back to what he had said at the outset, that the provision of personal rating was the essential point of the Bill. If it were maintained, he reckoned that the numbers enfranchised would be between 100,000 and 120,000. But if this provision were not enforced the 723,000 male occupiers in boroughs would come in; and, according to the experience furnished by the £10 householders, deducting some 250,000 who would be temporarily disqualified or disinclined to vote, it might be reckoned that about 500,000 of these would qualify, which number, added to the present constituency of 488,000, would make a total of nearly 1,000,000. Of this number upwards of 300,000 would come in at the lowest point of the scale, occupying houses below even the standard of £4 rating; and, according to the calculation of proportion made last year by the noble Lord the Member for Stamford (Viscount Cranbourne), out of the whole constituency, as it would stand under the Bill, a proportion of three-fifths would belong to the working or wage classes, and only two-fifths to the middle and upper classes. This conclusion was arrived at on the presumption that 25 per cent of the present constituencies were of the working classes, and that all the new voters were of the same class. Thus the Bill, without the ratepaying check, would be far more sweeping and democratic than anything contemplated during last year's discussion. The most fatal objection to the Bill, however, was that provision which left to local vestries and election agents to decide whether Parliament was to be elected by a limited or by an almost purely democratic constituency, by simply adopting or rejecting the Small Tenements Act. If these bodies decided generally to adopt the Small Tenements Act, the enfranchisement effected by the Bill would be comparatively restricted; but if otherwise, the influence of mere numbers must become predominant. It was impossible to suppose that such a question could be left to be decided by local bodies, actuated by local party feelings and local jobbing. When he looked at the possibility of maintaining the test, he had to consider the whole current of their past legislation upon the subject. The hon. and learned Member for Richmond (Sir Roundell Palmer) had shown clearly that the current of past legislation was to enfranchise all persons whose rates were paid for them by their landlords on the principle of *qui facit per alium facit per se*, a maxim which prevailed in all other cases. Even if they succeeded in introducing that check into boroughs, what chance would there be of its holding its front against the attacks that would be made upon it? In periods of great political excitement means would be found by the payment of rates to put these compound-householders on the register, and it would not be easy to prove a corrupt intention when these persons might probably have been put on the register long before an election took place. In all the smaller boroughs it would be simply a question of who had the longest purse. If they were to resolve that such payments of rates would be bribery, the experience in all contested elections showed that that would be absolute moonshine. How would the system work in large towns? But there was a more serious point for consideration. What would be done in large towns by members of trades unions for the purpose of having the rates of compounding members paid, and securing that their names were put on the register? Would not every workman, at a time when the body felt its interests were at stake, spare a 1*d.* or 2*d.* a week for the purpose of getting the whole of his fellows on the register? That, he thought, was a most serious danger; they were asked to place enormous power in the hands of an organized army of trades unionists. If the Bill were passed, and Parliament were dissolved to-morrow, he did not believe there was a borough in the kingdom where a Liberal candidate would not have to promise to vote for the abolition of the ratepaying clause if he desired a chance. He was therefore convinced that the tests in question would prove illusive — that they would be frittered away like the crumbling cliff by the tide, and ultimately be swept away altogether. He felt strongly that in voting altogether. He felt strongly be voting for household suffrage pure and simple, but not of a satisfactory kind, because it would not be a final settlement of the question. It would not be given as a boon to the working classes, nor in a generous spirit, as it would be accompanied with the check and counterpoises to which he had referred.

He had stated why he thought the Bill of the Government would not effect a permanent or a satisfactory settlement of the question. He felt, however, that they had arrived at a point at which criticism of Bills from the Ministerial Benches was not the only duty devolving on Members—the House itself must be prepared with some solution of the question. For his own part, he believed that the majority of the House would be prepared to adopt a £5 rating franchise coupled with a reduction of the Small Tenements Act to the same sum. It was said that a £5 rate franchise was a mere figure, and that there was no principle involved in it. The principle of it was the same as the principle of household suffrage. If they adopted that principle they would include what was good, and exclude what was bad. He might shortly sum up his idea of a Bill. It might be adopted, if the majority of the House were free to give an opinion on it. He would fix the borough franchise at £5, reducing the Small Tenements Act to the same point: he would add a liberal lodger franchise; and he would have the county franchise fixed at £14, the figure agreed upon last year. He would add a measure of redistribution of a character not less liberal than the proposal of last year. If that were done he thought the result would be a measure which would be acceptable to the House and to the country, and which would perfectly settle the question. The question remained as to how they could best arrive at such a solution. In what position would they be if they went into Committee on the Bill as it stood? They were met on the threshold by a clause which declared that household suffrage was the principle of our representation; and how could they deal with that question while they were left in a position of uncertainty as to whether the checks proposed were to stand or not to stand? They all desired a satisfactory solution of the question; but the only chance of arriving at it was, that some influential Members of the House should bring forward the broad outlines of a scheme before the House went into Committee, so that they could fairly have it in competition with the Government Bill, and so that the Government could have a fair opportunity of adopting those Amendments which the general feeling of the House showed to be desirable. The question, as had been recommended at the commencement of the Session, should not be treated in a party spirit—but that should apply to the other side of the House as well as to the Opposition. He thought the plan of embodying the scheme in Resolutions, which was first adopted, was a good one, and if it had been carried out it might have formed a good foundation on which they might have adopted the basis of a measure. This was a serious and important measure, and as a different course of action had not yet been pointed out in the course of the present debate, he thought he should be doing some service if he helped to sketch out a different course. He thought that propositions should be presented to the Government—not in a hostile spirit, which they could not accept with honour, but in a form in which the Government could accept them with perfect honour and consistency before going into Committee; and then, on the Motion that the Speaker should leave the Chair, the House ought to have a distinct understanding as to what the Government meant to do, and as to what they meant to stand upon. He trusted that the Government would adopt such modifications as would make the Bill acceptable to the House; but if they did not do so—if they proceeded with the present measure—he who had always struggled for what he considered a Liberal-Conservative settlement of the question could not be satisfied with it. As it was, it was not a Liberal-Conservative, but a Tory-Radical measure.

Mr. POWELL said, he felt anxious that before this debate closed the House should have some expression from Her Majesty's Government with regard to the course they would adopt in reference to the dual vote. He was anxious to know whether the dual vote was dead or alive. For his own part, he was inclined to think that it was neither numbered amongst the living nor recorded amongst the dead; but that it somewhat resembled one of those melancholy objects to be seen in a foreign land, which, although considered dead, were yet arrayed in the dresses of ordinary life, and attached to a delicate mechanism, from which, on the least movement indicative of life, the tinkling of a bell was heard. He had waited patiently during this debate to hear the sound of the bell which would render the life of the dual vote apparent. The right hon. Gentleman the Member for South Lancashire, in peremptory tones and a sepulchral voice, had pronounced it dead; and from the Treasury Bench there had been only doubtful sounds heard, not indicative of confidence in the life of the vote, but rather expressing a desire on the part of right hon. Gentlemen to ascertain the judgment of the House upon the point. He thought, however, that the Government should give some expression of opinion upon the subject. If the dual vote was indeed dead, the House ought to know whether there would be any alterations made in the Bill in consequence of that death. Were there any other parts of the measure which would be surrendered if the dual vote was entirely abandoned? He also desired to ask what would be the method of procedure in case the dual vote was still living? There was first the question of the franchise to be decided, and then they had to decide upon the dual vote; and it was only right that the House should know whether their judgment was to be taken in that order, and whether, when they had determined the franchise, they would then be called upon to decide upon the dual vote. With regard to the question of personal rating, it had been spoken of as a grievous and intolerable hardship that there should be a diversity of votes in the same community, either under the partial carrying into effect of the Small Tenements Rating Act or of some system of local legislation. He entirely concurred in that judgment, and did not think that there should be diverse votes in the same community. But in truth no difficulty existed, as any community by private legislation where local Acts created diversity, or by universal adoption or non-adoption of the Small Tenements Rating Act where there was no local Act, could render the practice uniform. With regard to the question of the lodger franchise, he did not think there had been any reasons given on that point which militated against the second reading of the Bill. If the lodger franchise would admit good men, it was well to admit them by that franchise. Good men were welcome wherever they came from, and bad men were not welcome whatever might be their origin. There would be in Committee the amplest, fullest, and fairest opportunity for ascertaining the judgment of the House upon the lodger franchise. With regard to another of the proposed franchises, the hon. and learned Member for Richmond (Sir Roundell Palmer) had fallen into a strange error when he said that the graduates in our Universities were already enfranchised. It was true that some of them were; but none below the degree of Master of Arts were entitled to the franchise, and of Masters of Arts none voted save those willing to comply with certain conditions. With regard to the re-distribution of seats, he wished to point out that in taking the group of boroughs represented by one Member each, it would be found that those at the bottom of the list had indeed small populations; but those at the top of the list had large populations, and were growing and increasing boroughs, which during the past few years had gathered round them, and would continue to gather round them, large and increasing populations. Some of them were centres of commercial life, and were entitled to a large share in the representation of the country. He thought the Government were right in not dealing too boldly and too broadly with this question of the re-distribution of seats; but still, he had a lingering wish that the Government would deal a little more boldly and a little more comprehensively with this important question. He could not help sometimes asking himself what would be the result of passing that measure or any similar measure? It would no doubt give increased power to the working classes, while he did not believe that the new Parliament would be animated by a greater desire than the existing Parliament to promote the welfare of those classes. But he felt persuaded that a more direct representation of the working men in that House would lead to a more accurate knowledge of their condition and their capacity; and that circumstance would necessarily be productive of some amount of advantage, enabling Parliament as it would to legislate with more wisdom on matters relating to the most numerous classes of society.

MR. BRIGHT: Sir, on the last occasion when I offered a few observations to the House on this question, I concluded by a quotation from what some might call a demand, and some a prayer, uttered by working men when they said, "Deal with us on the square." Now, we all know exactly what that means, and we are all conscious whether, in the vote we shall give at some future time on this Bill, we shall be doing that which the working men mean in that sentence, asking what they did. Now, looking at this Bill as it has been described by the Chancellor of the Exchequer, and as afterwards described by the right hon. Gentleman the Chief of the Poor Law Board, and as it has been described by several Members on both sides of the House, does it not present itself to us in some degree as a puzzle, and will it not be regarded as such by those whose interests it is intended chiefly to affect? According to the Chancellor of the Exchequer, it is a Bill of the widest dimensions as an enfranchising Bill. According to the President of the Poor Law Board, it is a Bill of many restrictions, and many compensations and limitations, and therefore it is a Bill of a wholly different character from that which it was introduced to us as being by the Chancellor of the Exchequer. Nobody in this House knows better than the Chancellor of the Exchequer that the question we are now discussing is more entirely a working man's question than any other; but being a working man's question, after what we have seen during the last nine months, I think the House will be of opinion that it is a matter which it is not desirable, if even it be safe, to delay, and that it is not a matter on which this House can afford to deal with the working man in any other than fair and honourable terms.

The hon. Member for the Northern Burghs, who spoke very lately (Mr. Laing), dwelt much on the question of the Redistribution of Seats. There are many parts of the Bill on which much may be said; but I venture to say that every other part of the Bill can wait for a calm and fair consideration, it may be in this, or it may be in some future Session, but this question of the manner in which you propose to deal with the working man is the question of this Session. Sir, it is an unfortunate thing that this Bill is in the hands of a Government who are in a most difficult position with reference to this question. That position apparently renders it almost impossible for them to deal with this matter with that straightforwardness which the matter itself demands. I am too serious upon this matter to enter into any recriminations with respect to what took place last year; but without going over the debates of the last Session, I should like to read one passage—and it is the only one I shall read to the House—delivered in a debate last year by a Member of the present Cabinet, and who has lately been promoted to one of the most responsible positions in that Cabinet. He said he preferred to remain at the £10 franchise, but that he would be willing, if he consented to make a change, to go very much below it; and he said, referring to the opinions of the late Attorney General and to my opinions—

> "And now he must part company with the Attorney General and the hon. Member for Birmingham. He was obliged with the utmost sharpness and definiteness to say that he thought to descend to household suffrage at once or at any time, with any safeguards whatever, would be a most mischievous and reckless innovation on the Constitution. Upon that ground he opposed, and should always do so, any general lowering of the franchise beyond the present limit of £10."

And he added this—

> "That being so, how was he now to deal with this Bill?"—[3 *Hansard*, clxxxiii. 1534.]

Well, that being so, how has he dealt with this Bill? That is from the speech of the present Minister for India (Sir Stafford Northcote). I have not seen him in his place to-night nor last night; but no doubt he will be able to explain the position in which he stands. Now, I am not quoting this for the purpose of upbraiding the right hon. Gentleman; but I am doing it for the purpose of pointing out to the House the extreme difficulty of the position of the Government, and the extreme difficulty of dealing with a Bill of this nature when it finds itself in the hands of a Government which was so pledged last year to a policy which is in reality opposed to the professed principles of this Bill. If we look back to a time to which the right hon. Gentleman the Chancellor of the Exchequer sometimes looks back, and upbraids us for our conduct in connection with it—if we look back to the year 1859 we find that the question of Reform was in the same hands, and in the same difficulty, and it met with the fate that may probably attend the measure of this year. For instance, at that time the right hon Gentleman proposed to the House, not a reduction of the borough franchise, but a very large reduction of the county franchise—from a £50 occupation to one of £10. But what did he ask us to do? He asked us, as a compensation, to exclude from the county representation 70,000 occupiers, whose holdings were found within the limits of boroughs. He proposed that they should become voters within the boroughs, and be taken out of the counties; though only last week—I think it was—the Chancellor of the Exchequer said, in answer to a question, that five-sixths of those 70,000 persons were not resident in the boroughs of which at that time he would have made them voters. I am not going to find fault with that proposition now; it has been disposed of, and in all probability will never re-appear. I want to show the House that at that time there was a great reduction offered, but with injurious and impossible conditions. An attempt was made to disturb the ancient and universal practice of the country, and it was done because of the difficulty that a Conservative Government, opposed to Reform, was endeavouring to settle the question of Reform. Well, so now, at this moment, the right hon. Gentleman comes before the House with a measure which at first sight, in form and words, offers a large reduction, not of the county, but of the borough franchise, and he has been trading on this for the last two or three weeks. Those newspapers with which the right hon. Gentleman is no doubt familiar have been telling the world that the Conservative party have fairly capitulated; and that all those checks, whether it be of a dual vote or of the personal payment of rates, may be easily given up during the discussion; for "we," they say—speaking of that party opposite—have no more reason to be afraid of the appearance of thousands at elections than the party which sits on this side of the House. Well, but if we take the speech of the right hon. Gentleman the President of the Poor Law Board, nothing is more clear—if he says what is true and what the Cabinet means—nothing is more true than that the right hon. Gentleman—and, indeed, as I understand, also Lord Derby, as he is stated by the newspapers to have done at the recent meeting—are preaching democratic doctrines outside the House, which the right hon. Gentleman the President of the Poor Law Board entirely disavows. According to his doctrine, the limitations are really the principles of the Bill; and if he had said what was the true state of the case, he would have pointed to the Chancellor of the Exchequer, and have said, "My right hon. Friend is dealing merely in political flash notes; in point of fact, they look very like the real thing, and a man unaccustomed to handle notes would hardly know the difference; but if you present them at the bank you will find they are worth no more than waste paper."

Now, I shall confine my observations mostly to the borough franchise; for, as I have said, I believe it to be the one question which it is absolutely necessary for us, if it be possible, to come to some conclusion about. The right hon. Gentleman in his speech dwelt upon our ancient Constitution. Well, I suppose I shall be one of the few persons by-and-by who will continue to be in favour of that ancient Constitution. I recollect the right hon. Gentleman the First Lord of the Admiralty once amused me by telling me that he was the only extant Peelite; and I sometimes think, in the unmoorings of hon. Gentlemen opposite, in their drifting from their anchorage, under the presidency of the right hon. Gentleman the Chancellor of the Exchequer, that some of us here will at last be left the only defenders of our ancient and time-honoured Constitution. Now, what is the manner in which he reads that ancient Constitution? He says that in ancient times the franchise was based upon the payment of rates and the occupation of houses. Well, there is no doubt whatever, I believe, that that is true. I have urged that sometimes in this House, and much more frequently out of it; and ill-judging persons said I was preaching revolutionary doctrines. But he does not bear in mind that in those old times to which we all love to look back, though none of us would like exactly to go back to them—in those old times there was no such thing, so far as we read, as of the landlord paying rates, or of compounding for rates. All occupiers who could pay were, of course, compelled to pay whatever taxes fell upon them in their position as inhabitants of parishes or boroughs. At that time nothing could be more reasonable or wise than the plan which was established; because, as the House will see, the only persons who would be left out of the franchise, if the franchise was so fixed, would be that extremely poor class whose members were unable to pay, and who, not being able to take upon themselves any of the burdens of citizenship, might fairly be asked to abstain from taking part in the right of election. But at the present day everything that concerns these matters is changed. The parish is differently managed, the landlord is a more important person, the tenants and occupiers form a more numerous class; and for the convenience of all these, and of all whom they represent in the parishes, another and an entirely different system has been established, and it has been found so good that gradually it is spreading to all parts of the country—a voluntary arrangement, a voluntary contract, by which the tenant is benefited, where the landlord has no objection to act in his position, and where the parish authorities and all the ratepayers of the parish feel that their interests are concerned. The right hon. Gentleman says that he will make use of the system, which is a modern and improved system, and work it—he does not say it in words; that would be another thing; but the chief of the Poor Law Board says it in words, and the Chancellor of the Exchequer says it in effect—that he will use this system, thus changed from the old times for the purpose of disfranchising two-thirds or three-fourths of all those persons who in those old times would have been admitted to the franchise and in fact of those whom this Bill, as you look at it at first, would seem to propose to admit. But why is it that the right hon. Gentleman does this? I forget the phrase he used—he used it several times, and I am sorry I have not remembered it—but he referred to the character of the working men, and the circumstances of their settled mode of life, their responsibility as citizens in their different districts; and he assumed that this was all proved if the working man, instead of paying a small sum of, say 8*s* a year, to his landlord, which the landlord pays for his rate, should pay 12*s*. directly to the overseer of the parish; and that this 4*s*. paid to the parochial authority was the grand test—it made all the difference in the opinion of the right hon. Gentleman between Englishmen who are entitled to be placed on the register and Englishmen in whom the House of Commons can have no confidence at all. Now I wonder the right hon. Gentleman did not add another test. The tenant may make an arrangement that the landlord should repair his house, or that he should himself repair it, and it would be as good a test that the tenant should repair the house as that he shall directly pay the rates. One of these tests would seem to be almost as reasonable as the other. There are many tests just as good, and most or perhaps all of them are worth nothing whatsoever. I take it that a man who has a house, who has a wife, who has children, who has furniture, whose life is marked by a steady industry, industry from dawn till dusk on the average of all the year, and men who obey the law as the law is obeyed in this country, men who need so little governance as the people of this country need—I say that all this is ten thousand times better as a test than any miserable difference of a few shillings in the course of the year on the amount of the poor rate, and the person to whom it is to be paid. Look at what this difference is in the speech of the right hon. Gentleman. He says there are 723,000 householders who are at present not on the register. The President of the Poor Law Board admits that 50 per cent will necessarily be struck off; you will come down then to 360,000 in any case. The Bill which is now before us, with the restrictions and personal rating, will cause an introduction of new voters in boroughs to the small amount of 118,000 persons. I am not quoting speculative calculations; I am quoting the words of the President of the Poor Law Board, and therefore the amount which throughout the boroughs of England and Wales the present Bill proposes to add to the existing franchise consists only of 118,000 persons. But the right hon. Gentleman the Chancellor of the Exchequer—and here I must draw the same distinction between his speech and those of his Colleagues—said, in answer to the right hon. Member for South Lancashire, that very easy access would be afforded, and the greatest facilities given, by which persons who appear to be excluded would be admitted. But the President of the Poor Law Board, on the contrary, did not give us the least expectation that the road would be rendered smooth and easy, and he prided himself on the strength, and the force, and the completeness of the limitations of which the Chancellor of the Exchequer intended to make so little. But the road is very rugged. It is encumbered by pains and penalties at every step. Go, for an example, to the past. We have had brought out in this discussion more than once the subject of the Bill introduced in this House in the year 1851 (14 & 15 *Vict*. c. 14) by Sir William Clay. Now, may I tell the House the effect of this Bill? But for the last three lines of it, this Bill may be said to be almost entirely a failure. When the Bill was passing through this House I knew what the Mover did not, I think, and I knew its probable effect in a direction which he did not intend to meddle with. The real reason why compound-householders did not get on the register was this—opposite their names in the rate book was the composition rate and not the full rate; and although the hon. and learned Gentleman the Member for Richmond says he doubts very much whether they could be excluded by law, the universal judgment of revising barristers from the time of the Reform Act till 1851, had been that, unless the full rates originally imposed, and not the composition rate, were paid, that compound-householder did not find his way from the rate book to the register. Well, when Sir William Clay brought that Bill before the House, I went to Lord John Russell, who was then Prime Minister, and I represented to him the grievance of this case. He said he did not think that the Reform Act or its framers had intended the conclusion to which the revising barristers had come, and he thought it would be a very proper thing to make an alteration in accordance with that view. He recommended me to see Sir William Page Wood, who was then, I think, Attorney General, and mainly at my suggestion, the very clause which is the last clause in that Act was introduced. I will read that clause. I do not know whether it has been read in the course of the debate—

> "Provided always, and be it enacted, that in cases where, by any composition with the landlord, a less sum shall be papable than the full amount of rate which, except for such composition, would be due in respect of the same premises, the occupier claiming to be rated shall not be bound to pay or tender more than the amount then payable under such composition."

The House will see what is the result of that. If the overseers of any district could be prevailed upon to do voluntarily what, as far as I understand, they ought to do by law—that is, place every occupier's name in the occupiers' column of the rate book, with the sum opposite his name for which the landlord has compounded—when that sum has been paid by the landlord, the name of every such occupier would pass on to the register every year, just as the name of the owner of houses, or of his own house, would pass on who had paid the full rate for his house. And the result was this—that immediately after the passing of that Bill, in the city of Manchester not less than 4,000 new voters were placed upon the register in one year—although I believe in one of the townships of Manchester the overseers failed in their duty in putting the occupiers' names upon the rate book. Three or four years ago my hon. Colleague and myself, being at Birmingham, had an interview with the overseers and the parochial authorities of the town. One of them objected, on the score of trouble, to put the names of occupiers on the rate book. However, they assented to our interpretation of the law; and from that time they have placed upon the rate book all householders whose rates are compounded for, and whose rates are paid by the landlord, although the sum paid is less than the original rate upon the premises. Well, the result is that in Birmingham there has also been a very considerable addition to the number of electors and I believe in the town of Brighton the same result has followed. I hope, I am not sure, that there has been the same result in other constituencies of the kingdom.

Now, I have stated this fact to show the House this—that the road to the franchise for compound-householders over £10 is not so difficult but that it may be travelled. I want to know why it is, when we are going to extend the franchise downward to another and a large class—in profession, at least—we should not make that road just as easy to them as we make it to those above them in the social scale. Why, if you are to take in a class of householders more laborious, having less leisure—it may be, in some cases, less instructed and less acquainted with the details of all these matters—is it not a painful idea that you should place obstructions in their path which you have not placed in the path of those who are householders above the value of £10? Now, I wish to ask the Chancellor of the Exchequer and his Colleagues, with all sincerity, whether he intends, so far as regards persons below £10, to repeal in principle, and to withhold from them, in fact, the right which this House of Commons has deliberately given to electors or householders above £10. Will he say that that clause which I have read—so simple, so clear, agreed to by the Prime Minister in 1851, drawn by an eminent Attorney General, passed in this House without a division, accepted in the House of Lords without question—shall, so far as regards these new voters, to whom he professes to give the franchise, be a dead letter, and that they at least shall take no advantage of it? If he proposes to do that, let him tell the House why. The Bill of the right hon. Gentleman the Member for South Lancashire last year proposed, by a £7 rental franchise, to invite 240,000 men into the electoral list. This Bill, according to the statement of the right hon. Gentleman the President of the Poor Law Board, will invite only 118,000. When the late Chancellor of the Exchequer brought in his Bill he made no flourish of trumpets. He did not offer it as a great all-embracing and all-enfranchising measure. He offered it as a moderate proposition which he hoped the friends of a wider suffrage, and the great body of the people, would accept in the spirit in which he offered it. The right hon. Gentleman, with far more pretence, with the air of doing much more, of sounding deeps far deeper, and finding a bottom from which nothing would disturb him, asks merely 118,000 men to partake of the blessings of this liberal Bill.

The right hon. Gentleman and his Colleagues remind me very much of the story of a man whose name I mention with anxiety and with sorrow — I speak of Dr. Livingstone. Dr. Livingstone, in his *African Travels*, says that he came upon the tribe of the Bechuanas. They were a people savage to the last degree, but ostentatious to a remarkable extent. As an illustration of it, he said that when his party wished to get some food from them, the Bechuana chief said, "Behold an ox;" but when they looked, they found but a miserable goat. Well, that, I think, is not a bad illustration of the tactics and conduct of the right hon. Gentleman. Now, the real object of this scheme is this—to introduce to the franchise about as many men as would be admitted if the franchise were fixed at an £8 rental. I believe it would not be in any degree a more extensive enfranchisement than that. Well, if this be so, why talk of household suffrage? Why should a great chief and a great party meet in St. James' Square, or in Downing Street, and talk of household suffrage, and offer to the people of this country that great and generous enfranchisement, when, after all, the scheme only involves what is tantamount to an £8 rental suffrage? ["No, no!" *and* "Hear, hear!"] If that be so, let us call it an £8 suffrage. ["No, no!"] Let us speak the truth about the matter. And defend it if you can. But bear in mind, if this be the nature of the measure, what is the step you are taking? You are renewing the error of 1832. You are about to re-enact the virtual exclusion of the working classes from the franchise. ["No, no!"] The working classes are of that opinion. ["No, no!"] But you are doing much worse than the statesmen did in 1832, for they made no pretence of admitting working men. They offered a £10 franchise, and the working men throughout the whole kingdom said, "The Bill, the whole Bill, and nothing but the Bill." They took it frankly and freely when it was offered, knowing what it was, hoping that hereafter it might lead to something for them. But you, with a population far more advanced and instructed than that of 1832, after the promises of half-a-dozen Cabinets, and passages in half-a-dozen Queen's Speeches, after what you have seen during the last nine months, venture to ask Parliament to exclude the working classes.

I think there are Members of the House who have taken more alarm than is necessary; but I venture to tell them that the course they are pursuing, if this be the extent of the concession, is a very perilous course; because bear in mind that it will be viewed in combination with the spirit of your Bill as shown in other parts of it. What did the Chancellor of the Exchequer say? He said that his counterpoises, checks, and compensations would prevent the mischief that might arise from the admission of 118,000 men, and the President of the Poor Law Board said the Bill proposed to give more than 200,000 persons of a higher rank a double vote—and that these would balance the 118,000 men. All that will be understood, and will be answered by those for whom you are proposing to legislate. I say it will appear to them as an intolerable wrong and insult. I think myself it is one of the most astounding propositions that was ever made by any Minister to any Parliament. If I am free thus to speak of a condemned proposition of the Government, in what position do I stand with regard to this question? Can I propose anything which in the contest of parties possibly a large majority may agree to accept? I have always been in favour of household suffrage, for reasons which I have often stated in this House and to other assemblies. I believe that the solid and ancient basis of the suffrage is that all persons who are rated to some tax—the relief of the poor being the most general now—should be admitted to the franchise. I am quite willing to admit there is one objection to that wide measure, which exists, at least to some extent, in almost every franchise you can establish. At this moment, in all, or nearly all our boroughs, as many of us know, sometimes to our sorrow, there is a small class which it would be much better for themselves if they were not enfranchised, because they have no independence whatsoever, and it would be much better for the constituency also that they should be excluded, and there is no class so much interested in having that small class excluded as the intelligent and honest working men. I call this class the residuum, which there is in almost every constituency, of almost hopeless poverty and dependence. In 1859 I prepared a Bill which, I venture to say, in opposition to the character which has been given to the present Bill by the right hon. Member for South Lancashire, was the best Reform Bill ever introduced. In speaking of that Bill I stated that there was this class which I thought it would not be any advantage to the class itself, or to the constituency, or to the public, to admit to the franchise. I am not sure that I should read this paragraph if I did not observe that the right hon. Gentleman (Mr. Lowe), in the preface to the volume of his Speeches, has inserted the paragraph, and has linked me with himself in a wholesale—perhaps he would not say a wholesale—want of appreciation of the character of the working classes. Speaking of that class at the very bottom of the scale, I made these observations—

> "I put it to every man, I do not care what his theoretical notions are, whether he believes that throughout the boroughs of the United Kingdom it would be advantageous or beneficial to the constituency, as a whole, to include some scores in very small constituencies, some hundreds in others, a few thousands, perhaps, in the largest, of a class of which there are, unfortunately, too many among us—namely, the excessively poor—many of them intemperate, some of them profligate; some of them it may be, only unfortunate, some of them naturally incapable; but all of them in a condition of dependence, such as to give no reasonable expectation that they would be able to resist the many temptations which rich and unscrupulous men would offer them at periods of election to give their votes in a manner not only not consistent with their own opinions and consciences, if they have any, but not consistent with the representation of the town or city in which they live."

Now, I am prepared to repeat that. I hold that in every borough with which I have any acquaintance, even with a £10 franchise, there are a few men whose absence from the constituency would be an advantage to that constituency, and I believe an advantage to themselves. But these remarks did not, and do not apply to working men between £10 and £7 rental, but to a small class at the very bottom of the scale. And I must therefore say that the right hon. Member for Calne did me an unfriendly sort of an act when he hung up my picture alongside his for the observation of the working men of England. In the Bill I refer to I made this proposition—that all those persons who were rated, whether they paid rates themselves or not—(in all cases if they paid the rates themselves)—and in cases where the landlord paid a composition rate, down to the point of a £4 rental or £3 rating, they should find their way on to the rate book and on to the register. Now, I am not about to say that that is the exact limit that should be fixed. The House may think £4 rating, or a £5 rental, or even a £5 rating low enough. On a great question like this, when you offer to the working men a real and generous boon, you will not find them—I am sure you will not find me—intolerant of any proposition that may be made. Now, I have never changed from that view. I hold it now as strongly as I held it then. And I am willing to allow that at this moment I do not believe there is a majority in this House who are in favour of household suffrage pure and simple. But we might take this course of drawing a line which would exclude, as far as we could judge, all those who should be excluded by their non-payment of rates—if no such thing as compound-householders existed. And this seems to me to be the true policy of the House. If the Chancellor of the Exchequer and his Colleagues would accept some proposition like this, I do not doubt that we might proceed with this Bill; and, so far at least as this great and vital part of the question is concerned, we might come to some final conclusion during the present Session. That the House may thoroughly understand me let me repeat the proposal. You would then have the household basis for the suffrage with limitations corresponding as nearly as you can get to the ancient limitations of the non-payment of the rate. That, I think, would satisfy the demands of our ancient Constitution, and therefore, I hope, the mind of the Chancellor of the Exchequer. If such a measure as this was passed, I would hold it to be a real and generous extension of the franchise; and I give you my word—whatever may be the worth of it—that I believe it would be felt that no class of the people was intentionally excluded, and that none who could be expected to be in would be shut out. And if with these you included a clause that would admit those who are settled dwellers in apartments within the district of the metropolitan boroughs, you would at once close the offices of the Reform League—and give general satisfaction to the whole of the people.

I have one or two observations to make

on other parts of the Bill, and I will dismiss them with the fewest possible words. I want to put to the right hon. Gentleman and his Colleagues and to the House this point in regard to the county franchise. In 1859 they brought in a Bill, to which, I presume, most of you were assenting parties, with a £10 franchise for counties. In 1860, under the Government of Lord Palmerston, Lord John Russell introduced another Bill with a £10 franchise for counties. Last year my right hon. Friend the Member for South Lancashire—his moderation is now known to all men—introduced a Bill offering a £14 franchise for counties, to which the House on a great division assented. Now, as you are about to lower the borough franchise considerably, which certainly the House will do, whatever becomes of this Bill—what will the persons living in the counties—those millions whom the right hon. Gentleman is always talking to us about—and the people living in those villages for whom he expresses such a strong affection when he is fighting us with them, but for whom he cares so little when they ask for the franchise—what will these persons in the counties say if you leave them at a £15 rating—being equal to a £17 to £20 rental—when you are going down in the franchise in boroughs to a rating qualification of £5 or £6? I say that a settlement of this kind would be no settlement at all. I say it is not a democratic proposition, and I trust the House, when we come to that part of the Bill, will act courageously and rationally, and adopt a measure at least as liberal as that which Lord Palmerston—by no means a democratic Minister—adopted in 1860. I will say nothing about the system of voting-papers. Everybody who speaks to me about them says there could be no more effective means of corruption, and merely express this opinion and recommend it to the attention of the House, that this system would withdraw all the influence of the public eye, without setting up the dominion of conviction or of conscience. The hon. Member for Wick (Mr. Laing) has stated what he regards as most extraordinary facts—they are not extraordinary to me, for I have gone through this schooling many a time—with respect to the re-distribution of seats. The measure of the right hon. Gentleman for the re-distribution of seats is a mere pretence—he does not offer it as a settlement. Having heard or read the unanswerable speech of the noble Lord the Member for King's Lynn last year, I suppose he felt bound to bring in some clause with regard to the re-distribution of seats. But when the town of Birmingham, which has now 15,000 electors, shall have 30,000 under this Bill—when Manchester, which has 20,000, shall have 40,000—when all these great constituencies shall be nearly double—do you think they will look with kinder eyes on the borough of Arundel, and on the borough of Calne, and other boroughs of that nature. Do you think that a measure which leaves such a dead limb as this encumbering the ground—if, indeed, encumbering be not a strange expression to use of anything so minute—will be received with approbation, or will be regarded as even a two or five years' settlement of this question?

There is another point upon which, at some future time, Sir, I shall ask your opinion. In this Bill there is a proposition to disfranchise four boroughs. I now speak of the two largest—Lancaster, with 2,672 male householders, and Great Yarmouth, with 6,660 householders. If this Bill is to pass it is clear that there would be created in these two boroughs, if they were not disfranchised as nearly as may be, an entirely new constituency. When you are going to double the constituencies of Lancaster and Yarmouth it seems to me a thing unheard of and new if the House will agree to disfranchise these boroughs. It is one which, I will venture to say, the House when it comes to consider the matter will not agree to. I complain of this—that in the preamble of this Bill there is no reference to the disfranchisement of these four boroughs, which have sent Members to this House for 500 years. There is not in the Bill a single word to indicate shortly to posterity how or why it was these boroughs were disfranchised. They will be swept away from the floor of Parliament, and there will not be a single record in your Parliament to show why it was these boroughs were struck out of your representative system. If the House will bear with me for a moment, I wish only to say this—that I am as much against corruption at least as the Chancellor of the Exchequer—and it has always been held in this House since I have been here, and for a much longer period, that it was a very grave matter to disfranchise any constituency—and I say that you are cutting off in Lancaster and Yarmouth, not only the population who would come in under this Bill, but their children and their children's children, who would be enfranchised and represented there if this clause be not passed. I say that if this is to be done it ought to be brought into the House by a special Bill, and that the whole question ought to receive a careful discussion and deliberate consideration; and that it should not be put into a clause of a Bill like this to enable the right hon. Gentleman to give seven more Members to counties than he would otherwise have been able to do.

Now, Sir, I believe I have said to the House what at this stage of the Bill I think it is necessary to say. The Bill, as a whole, I regard as very unsatisfactory and as very bad. I think it has marks upon it of being a product, not of the friends, but of the enemies of Reform. It is wonderful what clever men will do when a dozen of them are shut up in a room. Now, look at the Chancellor of the Exchequer. Why, he is a marvel of cleverness, or else he would not have been for twenty years at the head of hon. Gentlemen opposite to lead them into this—what shall I call it?—great difficulty at last. Take the right hon. Member who sits next him, and who represents a very learned University—Cambridge. Take the President of the Poor Law Board, who represents the wisdom, and it may be, to some extent, the prejudices of Oxford. Now, take the right hon. Gentleman the Member for Droitwich. I fear to speak of so potent a personage. Why, at this moment he directs all the armies of the Empire. There is not a soldier who shivers amid the snows of Canada, or sweats under the sun of India, but shivers and sweats under the influence of the right hon. Gentleman. Why, it was only the other day that he was Lord High Admiral of England. In metaphor—

> "His tread was on the mountain wave,
> His home was in the deep."

But all these Gentlemen retired into a mysterious apartment in Downing Street, and they sat to work to concoct a Reform Bill, and with all their capacity it seems to me to come out as a Bill marvellously like that which would have been framed by the hon. Member for North Lincolnshire. The hon. Member for North Lincolnshire (Mr. B. Stanhope) last night gave us an account of his conversion. There could hardly be anything more affecting or more truthful in any class meeting; but he spoke of "we" all the time—what "we" did, what determinations "we" had come to; and, in thinking over it to-day, I have come to the conclusion that he is the author of this Bill. Well, now, I complain of this Bill, and I do not do it in anger, for I hope that I have not said a word to-night that can be considered anything but fair and just; but I say it is a Bill in which, looking at the working class question, there is nothing clear, nothing generous, nothing statesmanlike; and I believe that if the House were to pass it, there would be universal dissatisfaction throughout the country. I believe it would aggravate the wounds it is intended to heal, and that it would leave the greatest question of our time absolutely unsolved. Well, now, I grieve to say this; but it is true. I tell the House frankly, and the right hon. Gentleman the Chancellor of the Exchequer will believe me when I say that there is not a man in this House who would be more glad to give his very warmest support, whatever it may be worth, to a fair and honest measure on this question. I regret what hon. Gentlemen opposite did, led by the Chancellor of the Exchequer and his friends, last year. I shall never cease to regret it, and never cease to blame them; but still, I would help any Government to bring this question to a just conclusion. But, Sir, it seems to me impossible to assist a Government which will not tell us frankly what it intends, what it stands by, what it will get rid of; which asks us to come into its confidence, and is the most reticent Government that probably ever sat upon these Benches. If any Gentlemen on this side were to treat you as you treated us last year, I should denounce them with the strongest language that I could use. I hate the ways, and I scorn the purposes of faction—and if I am driven now or in any stage of the Bill to oppose the Government, it is because the measure they have offered us bears upon its face marks of deception and disappointment; and because I will be no party to any measure which shall cheat the great body of my countrymen of the possession of that power in this House on which they have set their hearts, and which, as I believe, by the constitution of this country, they may most justly claim.

THE CHANCELLOR OF THE EXCHEQUER: Sir, the hon. Member for Birmingham (Mr. Bright) commenced his speech with his usual protest—a protest against Gentlemen on this side of the House presuming to deal with the Liberal monopoly. As long as the hon. Gentleman and his Friends were allowed to remain the only amenders of the representation of the people, so long we received from the hon. Gentleman all that encouragement which in his milder moments he knows how to bestow. But I have always protested against the opinions of the hon. Gentleman on this subject. I hold that we have a full constitutional right to deal by any means we think best with the representation of the people in this House of Commons, and I will assert that right at all times in spite of the dogmas of the hon. Member for Birmingham. The hon. Gentleman tells us to-night that I, on the part of the Government, have brought in a Bill which is full of false pretences—imputing to me statements which I never made, and opinions which I have never professed. But how easy is it to show the utter want of foundation for this charge. The hon. Gentleman said, "You made a statement which left the House under the impression that you were giving a large amount of enfranchisement to the people." The statement I made must be still fresh in the recollection of the House; and what did I say? I said, if the measure which I proposed were passed—if all the persons now under the £10 line were rated to the poor and paid their rates, 240,000 men would be qualified to avail themselves of the franchise if they complied with the constitutional conditions which I explained. Now, what happened? Why, the right hon. Gentleman the Member for South Lancashire, no doubt well informed on the subject, but acting, I am sure, entirely under a misapprehension in imputing to me that I made a statement that 240,000 men would be added to the constituency, which is not my statement; what I said was, that they would be qualified; and having allowed me to correct him, reduced the number to one-half, which the hon. Member for Birmingham has adopted for his estimate, and now says that only half the number that I alleged will be added to the constituency. I will not impeach the accuracy of this estimate. I will assume it to be true; and I will ask how is it that only half the number will be electors? We know the reason. We know that the other half are of a migratory character, or paupers; and we have evidence of that. ["No, no!"] I am not speaking now of the compound-householders; I am speaking of those who are now personally rated to the poor, and who, if they paid their rates, would be qualified to vote by this Bill. And why, then, is this amount reduced to 120,000? Because, as I have said, they are migratory and paupers. Well, then, does the hon. Member for Birmingham wish that this moiety of migratory paupers should have the suffrage, or does he not? Let him answer that. He knows very well that he does not wish the migratory pauper to be an elector. Well, then, what becomes of the charge that I am the advocate of exclusion, and that I bring in a Bill which shuts out one-half of those who should be admitted from the right of voting? The charge is utterly shallow. Well, if it is true that you must make this deduction from the 240,000 men who are at the present moment personally rated, it is equally true that the same deductions must be made from the great body of compound-householders. I never heard anybody dispute that. The hon. Member for Birmingham knows that statement is perfectly accurate; he knows well what the deductions would be, and from what cause; and he approves of the cause. Then, what becomes of this charge of exclusion? And what becomes, too, of the charge that this is a revolutionary measure—for as such it is treated on one night, and then the next night we are told that it is a measure of extreme restriction? Why, Sir, it is a measure founded upon a principle—upon a popular and a rational principle. It is of general application, without any restriction whatever; and any person who fulfils the conditions, which are conditions that are, as I believe, entirely approved by the great majority of the people, may possess and enjoy the suffrage in this country.

Well, the subject has been very little discussed. Considering the nature of the Bill before us, and the great attendance there has always been in the House when this question has been mentioned, it is remarkable how everything like Parliamentary discussion has been as it were evaded. Why, when I asked leave to bring in the Bill what happened? The right hon. Gentleman the Member for South Lancashire rose and delivered a speech or rather an invective against a measure which he had never even seen, basing many of his conclusions upon assumptions which when he found the Bill in his hands he saw had no foundation whatever. But if the right hon. Gentleman on the Motion for bringing in the Bill made a speech which was only adapted to the second reading, when the second reading is moved, instead of allowing a general discussion to take place upon it, he jumps up at once and immediately makes a speech which is only fitted for Committee. And, Sir, if the course which the right hon. Gentleman indicated last night had been followed, the discussion would have ended that evening, and probably at a very early hour. Now, is that a fair or proper way in which to treat a question like this, which the attendance here always shows to be one deeply interesting to the House as well as to the country, and by the due discussion of which the Government introducing a measure of this character can alone obtain any accurate cognizance of the feelings of this assembly? The right hon. Gentleman said last night in a very solemn tone that if this were a Motion for the third reading of the Bill we should all agree that it would be impossible to pass it. As if, under similar circumstances, that were not the fate of every Bill! As if on the second reading of any Bill it is treated as though it then stood for a third reading! As if a Reform Bill, of all Bills in the world, proposed to be read the second time, any one could expect it to pass the third reading in the exact shape in which it was then presented to the House! Sir, that is not fair criticism. And then the right hon. Gentleman gets up and addresses me in a tone which I must say is very unusual in this House. Not that I much care for that kind of thing; although really his manner is sometimes so very alarming that one might almost feel thankful that Gentlemen in this House who sit on opposite sides of this table are divided by a tolerably broad piece of furniture. The right hon. Gentleman, addressing me in the tone and with the air of a familiar of the Inquisition, puts me to the question and says, "This must be given up, that must be abandoned," and so forth. Sir, I will fairly say that I neither wish to accept conditions from the right hon. Gentleman or to offer them. But I will treat this House on this subject as Her Majesty's Government have always been willing and anxious to do. I have certainly never supposed that we could bring any matter like this to a conclusion without the candid and cordial cooperation of the House of Commons; and it is only by discussion, by becoming acquainted with the different views of hon. Members, by mutual concession and arrangement, that any conclusion whatever on such a question can be arrived at.

Well, the right hon. Gentleman yesterday made a very stern appeal to me on the subject of the lodger franchise. He said that "the lodger franchise must be conceded." Now, I thought that was a very extraordinary tone in which to address one who certainly on the subject of a lodger franchise cannot be supposed to have any very great prejudice. Indeed, if I may say so, I am myself the father of the lodger franchise. Undoubtedly, I was the first Minister who ever proposed its adoption by this House. We hear a great deal of abuse of what are called the "bye-franchises" or the special franchises. We are obliged to the right hon. Gentleman for giving a decent epithet to describe them after the phrases applied to them by the hon. Member for Birmingham. We hear, I say, a great deal of abuse uttered against those franchises; but I believe that the opinion of the House of Commons—the opinion of the majority of the House of Commons—is in their favour ["No!"]; and also that the calm opinion of the country really approves them. ["No!"] Who is the author—who are the great patrons of all these special franchises? They did not emanate from me; they did not come from this Bench. They came from Whig Prime Ministers, from coalition Prime Ministers, and from coalition Chancellors of the Exchequer. There is no doubt one of these special franchises which has recommended itself to the sympathies of a great portion of the people, but which was never invented by a Whig or by a coalition Minister, and it is this very lodger franchise which I am now sternly told we must concede, as if in being asked to concede that we were asked to make some enormous sacrifice. Sir, we had considerable difficulty about the lodger franchise. I will deal candidly with the House. I brought this subject before my Colleagues. I do not know that any of them were particularly hostile to the lodger franchise; but, of course, the first objection to it is that it is inconsistent with a Bill which is founded on the principle of rating, because you cannot rate the lodger. Well, that is an important objection; but it is not one which may not be overcome. I mean to say that my Colleagues would not have been prevented by that consideration alone from entertaining the question of the lodger franchise. Several members of the present Cabinet were in the Cabinet which in 1859 brought forward a lodger franchise; but they said, and said naturally—"The right hon. Member for South Lancashire, the Leader of the Opposition, stated last year that the lodger franchise was an insignificant affair, and that he believed it would produce very small results ; and if it be an insignificant affair, and will produce very small results, what is the use of deviating from the principle of our Bill ? " But now we find that the lodger franchise, which a few months ago was a very insignificant affair, and could produce only very small results, is the great question of the day. There were seven or seventeen heads of accusation, I forget which ; for I may perchance have confounded what occurred here last night with what took place at some of those meetings where what is called " the mob of the House of Commons " attended on the right hon. Gentleman. But though there were these seven or seventeen heads, this one is put forward as the first and foremost, as the one great point on which the fate of the Government is to rest, on which a secretly prepared Resolution is to be moved, and on account of which we are not to be allowed to go into Committee. This is the first great cause and "it must be conceded." Sir, I dare say that the lodger franchise, if we get into Committee, will be discussed with candour and calmness ; and if it is brought forward in a shape that commends itself to the favour of the House, I have no doubt the House will adopt it.

But, says the right hon. Gentleman, in the second place—and this is most important—means must be taken to prevent trafficking in the votes of the lowest class of householders. "Means must be adopted ! " But what means ? I should like the right hon. Gentleman to be more specific and to be more special on this point, as he sometimes is. Of course, we are all anxious to prevent this trafficking as regards " the lowest class of householders "—I must be careful of the words I use. I think also it would be very convenient if we could establish some means of controlling the conduct of the higher class of householders, and if I have an opportunity of bringing in our Bill for the prevention of bribery and corruption we shall make the attempt to do that ; alhough I am not sure, after what has passed to-night, that it will not be opposed by the hon. Member for Birmingham. But what surprises me most in this affair is the assumption of the right hon. Gentleman the Member for South Lancashire that all those persons who are going to be introduced into the constituency by this Bill are anxious to be bribed. [" No ! "] Well, a line, a magical line, is to be drawn to prevent it ; as if clever vestrymen and cunning election agents would not soon convert a £4 householder into a £5 householder when you have got your precious line, and so screw the figures up from year to year. But if these people are what you assume, but what I do not believe them to be, then the hon. Member who is, I will not say the great professor of manhood suffrage, but the great counsellor of those who advocate manhood suffrage, will show us that that line is the only bulwark against democracy. I remember some years ago, when the militia was about to be restored, the Government of the day, rather short-sightedly, determined to establish that force on the principle of the ballot ; and Lord Palmerston, who had then left them and gone into Opposition, opposed it very much. The Government of the day, a Whig Government, of course containing many great statesmen and distinguished orators with great power in debate, established with wonderful cogency of logic and fertility of illustration, the absolute necessity, if there was to be a militia, of adopting the ballot. Lord Palmerston, on that occasion, said—

> "All these arguments are no doubt very imposing ; but the reasoning of my noble and right hon. Friends rests entirely on this assumption, that the people of England cannot be trusted."

It was upon that issue he took the opinion of this House, and that the Government was changed. Was he right or wrong in the view which he maintained ? Why, you had a militia established on the voluntary principle, and you found that the people of England could be trusted. They received their bounty money and come back in accordance with their engagement every year, and no institution could be more successful, notwithstanding the opposite view that it was impossible to establish a militia on the voluntary principle because the great body of the people could not be trusted. I now say the same thing with regard to these frequent remarks of the right hon. Gentleman the Member for South Lancashire, who assumes that everybody who is about to be introduced into the constituencies is already preparing to be bribed ["No, no!"]; that every gentleman who expects to be a Member of Parliament is ready to become a briber ; and that a scene of corruption will be the consequence of this popular franchise. I would remind the right hon. Gentleman of the extreme difficulty, and not only the extreme difficulty, but the immense cost, of bribery under the circumstances which will follow the passing of this Bill. Why, it would exhaust all those fabulous resources which have recently been the subject of investigation before Committees, and with results with which the hon. Member for Birmingham seems so peculiarly to sympathize. Let me take the fifty-seven boroughs in which the Small Tenements Act is universally in force, and which furnish the best test on this point. Among these boroughs there are only ten which have less than 500 occupiers within their limits, the average of the whole fifty-seven being 2,445 in each constituency. Well, those wicked vestrymen and artful election agents are to pay their rates for 2,445 men for two years certain, and if you take the average existence of Parliaments at three-and-a-half years, they must pay the rates for that number for that time, and when they have paid their rates what hold, I would ask, will they have on them? for if they consented to pay their rates for three-and-a-half or even two years, I think it very likely these electors would turn round when the hour for action came, and, in consequence of the experience which they had acquired, expect something further and upon a larger scale. Yet, this is the sort of argument—this appeal to the impossible—which is used to show that a proposal which is politic and necessary ought not to be adopted.

The third menace of the right hon. Gentleman was of this nature—He says the distinction between different classes of ratepayers must be abolished. Now that is a very serious question, and one on which a decision ought not to be pronounced by this House in haste. I very much doubt the policy in a country like England, and with institutions such as here prevail, of attempting by artificial means to obtain anything like a similarity of suffrage at a sacrifice of what I may venture to call the natural circumstances in which we are placed. It is most desirable not to deal in a Bill like the present with any privileges which happen previously to exist. If therefore you give the franchise to new classes on the condition of personally paying rates and of adequate residence, you must adopt provisions which are not identical with those which prevail at present under the law; but that difficulty has been felt before. It is not the first time, as the right hon. Gentleman reminded us the other night, that such combinations have been considered by Cabinets and Governments of which he was a distinguished member. Provisions precisely the same as those which we now proposed making a distinction between those already in possession of the franchise, and newly enfranchised classes, were contained in the Reform Bill introduced by the Government of Lord Aberdeen, and there were also provisions specially guarding the rights and privileges of old constituencies. That shows that the subject must have been considered by the wise and eminent men—some of them the most wise and eminent whom the country has produced in this century—who were members of that Cabinet. You may depend upon it that it was not idly that such regulations were framed, and framed too at a time when a £6 rental was the reduction suggested, instead of the great reduction which is now proposed. The right hon. Gentleman says that I am happy in remembering the mistakes of my predecessors. Now, that may be a taunt, or it may be a philosophic observation; but I know this—to revert to the immortal subject of the lodger franchise, which, we are told, is the great political question of the day, that, in the Bill of last year, that favourite offspring of the intellect and passion of the right hon. Gentleman, it was enacted that there should be a qualifying term of two years' residence. What, then, becomes of all this idle rodomontade about our new-fangled schemes and principles, which it is said the English people cannot endure, when eight or nine months ago the same principles and policy were professed, advocated, and recommended by the right hon. Gentleman himself? Now, I have presumed to impress on the House that this is a most important question, and I hope it will not decide upon it with any precipitation. It is of the utmost consequence, if you establish the suffrage on the principles which we recommend, that into it the element of residence, and adequate residence, should enter. There is no other condition which would give satisfaction to the people of this country generally, and permit me to say that there is no condition which has been more popularly received by the working classes. We have some means, though we may not be favoured with all the inspired information respecting the people which hovers round the head of the hon. Member for Birmingham, of becoming acquainted with the feelings and opinions of the great variety of classes in this country at the present moment. There is not a day on which, on this question of Parliamentary Reform, the Government are not in the receipt of I do not say hundreds, but scores upon scores of important communications coming from all classes of working men, individually, collectively, in assembled bodies, and committees, and I will frankly admit that very critical and shrewd remarks are in them sometimes made on our propositions, for I do not pretend that they contain nothing but eulogium. They are communications which we attend to with respect, and by which I hope we may profit; but although in some of them considerable objections are urged with regard to rating, and not unnaturally, because when a man is called upon to pay he thinks twice before assenting to such a proposal—there is observable in them this remarkable characteristic—that without exception they entertain but one opinion on the question of residence. They cheerfully propose the municipal term of residence as a qualification for the exercise of the franchise; so that all this vaunted indignation of the right hon. Gentleman is entirely misplaced, and is indulged in in complete ignorance of what the feeling of the country really is on the subject of residence. This is a condition which recommends itself to the good sense and is accepted by the integrity of Englishmen, and we shall, I believe, make a great mistake if we deviate from this proposition in the Bill. I admit that there is at first sight something invidious — though that interpretation does not seem to have occurred to those to whom I have just been alluding—in having one household qualification based on one year, and another for a longer term; but when you are dealing with complicated transactions of this kind, and when you are adding new franchises to old constituencies, there must be irregularities, from which some persons may draw invidious inferences, though the people at large do not. If you make any proposition in Committee with a view to remove this invidious character without destroying the fundamental condition, we shall, of course, be prepared to consider it. It has been suggested that the term with regard to the £10 householders should be increased to two years, reserving all existing rights, and the suggestion may be worthy of consideration; but depend upon it the House will commit a great error if it supposes that by reducing the term of residence as a test of fitness for the exercise of the franchise it will be doing that which the working classes either desire or approve.

I now approach the fourth head of the impeachment. It is said that the taxing franchise and the dual vote must be abandoned. Let me say a word first about the taxing franchise. I have already touched on the lodger franchise, and I leave that respectable franchise, the savings bank franchise, and others invented by Lord Russell—who is supposed to be the most learned man on the subject of franchises—I leave them with the dust of almost venerable antiquity on them, and I proceed to this dreadful invention of Lord Derby's Government — the franchise founded on direct taxation. But this, too, has not the claim of originality. This also is a franchise proposed by previous Administrations. Let me call the attention of the House to the circumstances under which this franchise was first proposed. It was proposed first in 1852, Lord John Russell then being Prime Minister. He had to draw up a Reform Bill. Generally speaking that is an easy task to him; but on this occasion he wished to appear with some novelty, and some new franchises were proposed. Being a man of a constitutional temperament, he determined to have a franchise founded on the greatest duty of Englishmen—that of paying taxes. He thought that duty should confer a right. When a Minister, and especially a Minister more distinguished for his constitutional than his financial knowledge, projects a franchise of this kind, of course he avails himself of the best information. He brings to his aid the intelligent views of adepts; he broaches his idea, and has it well discussed in argument by persons well versed in all the details, and it was only, of course, on their advice that he adopted the scheme, which was proposed in this House, and which died an untimely death. The House never pronounced against it; but in course of time—in the course of two rather important and troubled years—there was a new Administration, and a new Reform Bill was introduced. The question of the franchise founded on direct taxation was again brought before the consideration of Parliament. Mark what happened between 1852 and 1854 on the subject of direct taxation. The question of the income tax during those two years was the question of the day. It engrossed public attention, and made the fate and fall of Ministers. The right hon. Gentleman the Member for South Lancashire obtained, and justly obtained, great distinction for the manner in which he treated the question of the income tax, and showed himself a complete master of all its details.

It was a great advantage to Lord Russell when Lord Aberdeen deputed to him the task of providing a franchise founded on taxation, that he could consult the right hon. Gentleman—a man transcendant on all subjects, eminent for his knowledge of finance, but most remarkable for his knowledge of direct taxation. Any failure which Lord Russell met with in 1852, might be ascribed to circumstances totally irrelevant to the merits of the Bill; they could not again be anticipated, especially with the immense advantage of the assistance of the right hon. Gentleman, who is able to take a part in the consideration of every subject. I have no doubt he was consulted on every part of the Reform Bill of 1854. I believe he drew up the proviso which saved the rights of the £10 householders. It is in his style. It was, I say, of immense advantage to Lord Russell, when forming a franchise founded on direct taxation, that he had the assistance of a person of the great ability and strong character of the right hon. Gentleman, who was entire master of the subject. There can be no doubt, the right hon. Gentleman was the constructor of the franchise founded on direct taxation. Then, how can we reconcile with such circumstances the language of the right hon. Gentleman, that this franchise will make faggot votes; that it is the most objectionable of all propositions; and to repeat the words employed by the right hon. Gentleman last night, it must be abandoned? Whether the House will abandon it or not is a subject for future consideration; but practical men, who know as much about the incidence of the income tax and the subject of taxation generally as the right hon. Gentleman the Member for South Lancashire, laugh at his objections, and say that there is nothing in them. They were perfectly surprised at the remarks which the House of Commons received with the natural deference and the natural credulity which it is the pleasure of the House to extend to the right hon. Gentleman. I have before me some remarks on the subject in a letter dated the 24th of March, written by one who, I suppose, the right hon. Gentleman will not hesitate for a moment to acknowledge to be a consummate judge of the subject, and whom I know personally he highly respects. I will read it—

> "I do not see that the proposition for giving the payers of direct taxation to the amount of 20*s.* a vote would offer means for creating faggot votes. In the first place, the persons *bonâ fide* liable in almost every such case would have a vote from other sources. As regards the income tax, I think it is absurd to suppose that a man would return his income for assessment, having none, for the purpose of getting on the register. He must do it annually, and pay the tax, and he could not obtain it back on the ground of exemption. With regard to the assessed taxes, the asssessment is not made until after the year in which the article subject to taxation has been kept, and will a person state in his assessment paper that he had a carriage, horses, and servants in the year preceding, having had none? I do not believe it, for persons of that class would not be supplied with the ordinary printed tax paper to make the return which would be brought into the assessment. And how could they be assessed? The revising barrister should be empowered to require the claimant to prove his *bonâ fide* liability, and a clause to that effect should be inserted in the Bill."

Well, that is the opinion of Sir Charles Pressley, and everybody who knows him knows him to be a man of consummate ability. Here is another opinion, that of a calmer temperament, perhaps, but it is well worth the consideration of the House. It is the opinion of Mr. Stevenson, and he says that he agrees with Sir Charles Pressley in applying the remedy which he suggests. But he adds that he would be disposed to doubt whether any inquisition into the affairs of men who are to be charged with the income tax would be necessary, for it should be remembered that the assessment of men in situations are furnished by their employers, and that therefore no extensive frauds could be committed without the knowledge of their masters. Now, I ask the House, after hearing these opinions from such men, and remembering that Lord Aberdeen's Administration was the author of this very franchise, and which, no doubt, was constructed under the special advice and counsel of the right hon. Gentleman opposite, or, if not, he was remiss in the performance of his duties, as a Member of that Cabinet, whether such arguments as he used last night should have been uttered, particularly when we think of the respect due to Lord Russell, should not have been withheld. There should have been more regard for the feelings of that distinguished nobleman. I think the right hon. Gentleman might have spared the epithets he showered on this franchise. It is very possible that in the Committee it may be improved. Well, if not, what is the use of going into Committee? Some hon. Gentlemen seem to think it a wise thing to sneer at the action of their own Committee. These are questions, if there are any, with respect to which the House has the power of improving the suggestions of Ministers.

I leave for a moment, until I have touched on some slighter topics, the question of the dual vote, in order to come to the fifth article of impeachment, which was couched in the same imperative and authoritative language—"the re-distribution must be enlarged." [Hear, hear! *from an hon. Member on the Opposition Benches.*] The hon. Member who cheers is bound to tell us what he means by enlarging the re-distribution. I will not do as the right hon. Gentleman did last night—I will not call on the hon. Member to make his maiden speech now by way of parenthesis to my observations; but I must say that, in trying to settle the most difficult question of the day, we have a right to expect from the hon. Member, as well as from a statesman in the position of the right hon. Gentleman opposite, some indication of their views of enlarged re-distribution. That, Sir, is a very important question. We, Sir, may have contracted views and limited notions on the subject; but we have been frank in stating them. Is the right hon. Gentleman the Member for South Lancashire, then, to sit there, with his large process of distribution, surrounded by some who think themselves his followers and his friends, while he may be prepared to stab them to the heart? I say that particularly, because I am told there is to be a large scheme of re-distribution, with which it is impossible to proceed without destroying his most intimate friends. Now, Sir, we have laid down the principles on which we think re-distribution ought to take place. If there be any Gentlemen who are of opinion that any strange and new principles should be introduced—if there are advocates of cumulative voting and other means of obtaining the opinion not only of majorities but of minorities; but which new principles cannot be applied without a great change in our whole electoral scheme; I understand, I respect those opinions, though I differ from them; but I deny that any man has a right to loll on his easy seat in the House of Commons, and only tell us when a practical proposition is brought forward that the re-distribution must be enlarged. I say the right hon. Gentleman ought to take the earliest opportunity of informing the country what are the views on which he thinks re-distribution ought to take place, and calm the uneasy feelings of all his adherents—uneasy feelings with which I sympathize, but do not wish to share.

Then we are told that the county franchise must be reduced. Well, we have reduced it; we make a proposition to reduce the county franchise. The county occupation franchise is at present £50. We propose it should be £15 on a rating basis certainly; but every one will admit that that is a very large reduction. I have not heard that any much larger reduction is proposed; at any rate, that is a matter of secondary importance. It is entirely for discussion in Committee. Did not Lord Palmerston, when he voted for the Bill of the hon. Member for Surrey (Mr. Locke King)—a Bill for a £10 county qualification—did he not say he was not pledged for £10, and in Committee would propose £20. Then, as to voting-papers; it is a very interesting question. Voting-papers, we are told, must not be pressed. So far as I am concerned, they will be pressed; but it is a question on which the opinion of the House ought to be taken; and I heard with pleasure last night that the Member for Sheffield (Mr. Roebuck)—I say the Member for Sheffield, for so he should always be described—the Member for Sheffield did incidentally remark that of the principle of voting-papers he approved. I do not say he is pledged to the application of it in the Government Bill; but every man of sense and experience must feel that this is a very important principle, well worthy of the consideration of the House of Commons. [Mr. ROEBUCK: I beg to inform the right hon. Gentleman that he makes a mistake. I never said any such thing.] I regret, Sir, that a pleasing illusion has been dispelled; but I have such confidence in the intelligence and candour of the hon. and learned Gentleman, that I will not despair that he may yet support it.

Now, Sir, let me ask the attention of the House to what the Member for Birmingham very properly described as, after all, the great question—the borough franchise. You have been trying to deal with the borough franchise for fifteen years. Five Governments have made propositions—four Governments certainly; the fifth proposed no change, but still, at least, they expressed by their policy an opinion on the subject. Five Governments have attempted to deal with the borough franchise. It has been twice attempted to be dealt with in this very House of Parliament. There is no figure, no combination of figures, there are no means by which value can be ascertained that you have not had recourse to; and now some Gentlemen opposite are following the old track, and believe that they have arrived at a solution of all difficulties and determination of all political perplexity on the subject by taking refuge in £5 rating, when every one knows that it is as shifting as the sand for a foundation on which to rest any superstructure, and that all those election agents we hear of, and all those ambitious and cunning overseers that now occupy so much attention, could by their power or favour convert a £3 or £4 into a £5 rating with the greatest ease. We have taken the subject into consideration, and have thought it was wise to establish this franchise on a distinct principle that could not be mistaken; and we say, if a man personally pays his rates, and has resided a certain time, that is *primâ facie* evidence that he is a man of a regular, methodical, and dutiful course of life; and, on the whole, in a borough, a very good test. You must have some test in all these cases. The Member for Birmingham is against all tests whatever. I think there are such things as tests. The man who has a house, who is rated to the poor, who pays his rates, and who for two years has paid his rates, these are circumstances that recommend him to our minds as a man competent to fulfil a trust. But then the Member for Birmingham, and a great many Members before him, have said your principle may or may not be a good one; but assuming that it is a good principle, your application of it may not be good. We find that practically you are leaving out of the enjoyment of the franchise a great many men who are quite competent to exercise it and deserve it, and that in consequence of legislation not, after all, very old. Well, when we are talking of an ancient constitution, and speculating on the possibility of investing men with rights which may influence the destinies of our country for ages to come, you come and tell us of rating Acts, which, after all, were only passed in the memory of our fathers and ourselves, and these are to be the obstacles which are to prevent us from establishing the franchise of Englishmen on the ancient and proper basis. But we meet that difficulty fairly and thoroughly, I think; and we say, Let every man who by the action of these local or general Acts is not rated to the relief of the poor have the privilege of calling upon the official person to rate him; and let him in consequence obtain the enjoyment of the suffrage. No one pretends that the principle is not sound, and that the proposition is not large. The principle is this:—A man who is personally rated, and who has by his residence what is thought in this country a fair claim to the trust of the community, is to have the suffrage. And if by these peculiar Acts of Parliament there are classes who are, as it were, prevented from enjoying on these conditions the suffrage, we give them the right, notwithstanding these Acts, of asserting their claim and acquiring the franchise. Now, who can deny that that principle is correct in theory? The application of it is vast and unlimited.

What, then, are the objections to this? We have heard many; but I think they were summed up in the speech we heard to-night from the hon. and learned Member for Richmond (Sir Roundell Palmer). I remember—I am sorry to say one remembers too many things now—but I remember, and the right hon. Gentleman the Member for South Lancashire, who was in that Parliament, remembers also, that there was a great party struggle in this House—and the right hon. Gentleman belonged then to the same party as myself—with respect to the policy pursued by the Government in regard to China. A reference was made to the elaborate speech of a lawyer delivered during that debate by Sir James Graham, whose name is not often mentioned in this House, but is never by me to be mentioned without respect and affection; for he was one of the most considerable men we ever had in this House. He rose in his stately cynicism, and exclaimed, "Let us get out of the region of *Nisi Prius*;" and when we come here to offer the franchise to the people of England—notwithstanding the imputations of the hon. Member for Birmingham—in a spirit of sincerity and truth—when we offer to establish it on a principle that no one can contravert, and to apply it without limit—when I heard those observations of the hon. and learned Gentleman the Member for Richmond, I recollected the observation of Sir James Graham, and I say we must get out of the region of *Nisi Prius*.

But there is another spirit in which to deal with this question than that of the hon. and learned Gentleman, and that is the spirit of the right hon. Gentleman opposite, who takes a more statesmanlike view of this question; for although on the subject of rating he delighted and misled the House at the same time, yet he touched on greater themes. He said this system of yours is all inequality; this is the difficulty I find in it; this is the fatal consequence I denounce. If you establish your suffrage on rating and apply it, you will not find two towns in which the same suffrage will exist. There are fifty-seven towns in which the Small Tenements Act prevails; there are ninety-two in which it partially prevails; and there are twenty-seven in which it does not prevail at all. And then the hon. Gentleman says, "Good God, what will be the consequence under such circumstances of the application of such a proposition as that in your Bill?" Why, Sir, I always thought that what we have been complaining of for years was the dreary monotony of the settlement of 1832, and the too identical character of the constituency under that Act. Every time these discussions were brought on we were told over and over again that what the country languished for was the variety of franchise that they were deprived of by the Act of 1832, and that if that had been re-introduced in any of the schemes of later years one of the great wants of the country would have been supplied. It had been said, and most justly said, that the remarkable characteristics of this assembly—the variety of character which distinguishes it—is really owing to the machinery of the small boroughs which were called into existence, partly under the Plantagenets, but certainly under the Tudors and Stuarts, and which have given to England that varied representation of interests which India and our multifarious colonies, the settlements of two oceans and of two hemispheres demanded. And I say of these Local Rating Acts, which have been so criticized—these Small Tenements Acts, which prevail, we are given to understand, with a power as secret and inscrutable as that of the Jesuits—that they can absolutely, though unintentionally, give us that variety which the country requires, and which I believe is an admirable quality. ["Oh!"] Why, how does it work? There are twenty-seven boroughs under this system in which almost household suffrage prevails. What is the harm of that? Have you not been year after year deploring that you have no longer Members for Preston and such places elected by household suffrage—that we have no longer a system that produces among us a Hunt or a Cobbett? Among the twenty-seven towns in which the Small Tenements Act prevails you have this large constituency. There is a dozen of these twenty-seven boroughs having some of the most considerable constituencies in England. There are Stockport, Bradford, and half-a-dozen others. [Mr. GLADSTONE: Stoke-upon-Trent.] That is one of the greatest arguments that I have heard in favour of it, though the right hon. Gentleman the other night, taking advantage of the position he had in the debate, appealed to my hon. Friend the Member for Stoke-upon-Trent (Mr. B. Hope), who, in consequence, delivered a fiery invective against our Bill. I will not stop to consider what would be his relative position if this £5 rating were adopted in his borough instead of our proposal. It would make a difference of only a very few thousands. There would be a difference as between 15,000 and 9,000. But every one knows that my hon. Friend is perfectly superior to any political accidents of this kind. The hon. Member is Member for the Potteries, and, in my opinion, he will always represent the Potteries, because they are filled by an intelligent population, who like men of social standing and refined taste in the arts, and who are not insensible to the charms of his rich and grotesque rhetoric.

Well now, Sir, let me ask the House to consider what is the result of our proposal respecting the borough franchise. Our proposal—I must repeat it again even at the risk of wearying the House—is that every householder who is rated to the poor and personally pays his rates, and who has occupied his house for two years, shall possess the franchise. I never wished in arguing this question that its merits should depend on the exact numbers that may be admitted under it to the exercise of the suffrage. I think that on that subject a vast misapprehension prevails. It is a mistake to suppose that mere numbers make democracy. So long as you have fitness and variety it is impossible that democracy can prevail. In our proposal we believe these two elements do prevail. Now, Sir, recurring to a point to which I alluded when I first rose in answer to the hon. Member for Birmingham, I mentioned the other night that by our scheme 240,000 persons in round numbers would be qualified to enjoy the franchise, and I thought that it was the duty of statesmen and politicians in the proposal of laws to look to those who would be qualified, and not to those who would vote. I think, with great deference, that the House has rather erred in trying always to calculate the state of the poll. But this is a practical assembly, and I adopt its tone, and I will argue the case in the way in which the House, and especially the right hon. Gentleman (Mr. Gladstone), appears to wish it to be considered. The right hon. Gentleman tells us that my 240,000 qualified persons would only prove to be 120,000 persons who could possibly go to the poll. I believe, however, that he did not subject even them to the constitutional conditions of our Bill—that they should be personally rated, and that they should reside for two years. [Mr. GLADSTONE: I have.] Well, we expect some opposition to our Bill; but it should be an opposition on some definite ground. Is it a Radical, or is it a Conservative Bill? You must oppose it on one ground or the other. You cannot blow hot and cold upon it. I brought it forward not as a Radical, but as a Conservative measure. I brought it forward as a Conservative, but as a popular Bill, and if the word had not been objected to the other night I would say that I defy any person to show me any measure which the House has passed of a more popular, and at the same time of a more Conservative character. I admit that these 120,000 may be the most that are practically admitted to the exercise of the franchise by our proposal. We never considered the numbers, but we looked to the principle. We looked to the means by which we might unite competency and fitness with variety of character, in order to form the constitution of the country. If we have to reduce the 240,000 by one-half, the same rule must of course apply to the 460,000 compound-householders, who, according to the hon. Member for Birmingham, are excluded by this Bill. I never apprehended that the hon. Member for Birmingham was ready to enfranchise all these persons. On the contrary, no man has ever impressed upon society more strenuously that there are a great many people to whom he would not give the power of voting. Following, then, the principle to which I have just referred, those 460,000 compound-householders will be reduced to 230,000. If you apply the constitutional conditions which we ask the House to adopt, that number will be still further reduced. Upon these constitutional conditions the House ought to give an opinion. Are they or are they not of opinion that a man who is to be intrusted with the suffrage should be rated to the poor, should pay his own rates, and have, moreover, a two years' residence in the place where he is so rated? I cannot apprehend that the number that will be admitted within the pale of the Constitution, as it is called, by the scheme which we propose, will be so great as to cause any distrust or alarm. I believe that those who will obtain the franchise, and who are not compound-householders, will not exceed the number which the right hon. Gentleman the Member for South Lancashire has estimated as the immediate consequence of our Bill. But it must be remembered that our Bill is not framed, as was the one of last Session, to enfranchise a specific number of persons. We do not attempt that. We lay down a principle and let that principle work; but if you ask us what will be the result of its working, we say—although we do not wish to found our policy on it—that we do not apprehend the number that will be admitted to the enjoyment of the franchise will exceed the number contemplated by the Bill of last Session. But there is this difference between our proposition and the proposition made by the right hon. Gentleman. The proposition of the right hon. Gentleman was founded upon a state of things which was liable to be changed the next year, when the question might possibly have to be raised again, while the proposition that we make is founded upon a principle that is not liable to alteration. With regard to the dual vote, I frankly confess, when I consider how limited may be the number enfranchised by our scheme, that I am not prepared to recommend a proposition which was originally intended to protect the middle classes against an invasion of their political power. That proposition as to the dual vote was not merely brought forward as a check and a counterpoise. No such mere vulgar idea entered our minds. ["Oh, oh!"] It is all very well for Gentlemen to sneer. Nothing is easier than that; but you must recollect that for a number of years the attention of some of the most eminent men, and of some of the profoundest thinkers, has been given to the subject of Parliamentary representation; and that by many of them it has been held that it is impossible to disturb the balance of political power, as it now exists, without departing from the old system of apportioning one vote to each individual. We cannot, however, be blind to what has recently occurred. We believed that men of great mark and standing were prepared to support this view, and possibly even now, before we have finished with this Bill, we shall find more than one hon. Member rising to propose a still broader and stronger principle than the one involved in the dual vote. The question is a profound one, and one that has commanded and will command great attention. But this is essentially a practical assembly, and it is the business of Her Majesty's Government to bring forward, and, if possible, to pass a measure of Reform. We must also defer to the wishes of our supporters. What encouragements have we received from this side of the House upon this point? [*Laughter.*] Do hon. Gentlemen mean to say that we are to disregard the opinions of our friends? Why, Sir, we are not prepared to disregard the opinions even of our foes. If there be any one question upon which the opinion of the House has been expressed more clearly than upon another, it has been upon this. And most certainly we have received no encouragement. From first to last no one has spoken a single word in its favour. I had hoped that some stray philosopher would have risen to say something in its behalf, and to have lent dignity to our forlorn position. I had hoped that the noble Viscount the Member for Stamford (Viscount Cranbourne) would have given it his support, but even he denounced it.

VISCOUNT CRANBOURNE: I beg the right hon. Gentleman's pardon. I distinctly stated that I thought the proposal just.

THE CHANCELLOR OF THE EXCHEQUER: At any rate the noble Viscount said he believed it to be impracticable, and if practicable, would do no good. How can one fight against such difficulties? I am prepared to fight against the greatest difficulties. But we stand here as practical men, with a duty to fulfil, and that is to pass a Bill for the Amendment of the Representation of the People, and it would therefore have been worse than idle to persist against such opposition. One word before I conclude. I hear much of the struggle of parties in this House, and I hear much of combinations that may occur, and courses that may be taken, which may affect the fate of this Bill. All I can say on the part of my Colleagues and myself is that we have no other wish at the present moment than, with the co-operation of this House, to bring the question of Parliamentary Reform to a settlement. I know the Parliamentary incredulity with which many will receive avowals that we are only influenced in the course we are taking by a sense of duty; but I do assure the House, if they need such assurances after what we have gone through, after the sacrifices we have made, after having surrendered our political connection with men whom we more than regarded—I can assure them no other principle animates us but a conviction that we ought not to desert our posts until this question has been settled. Rest assured that it is not for the weal of England that this settlement should be delayed. You may think that the horison is not disturbed at the present juncture—you may think that surrounding circumstances may be favourable to dilatory action, some of you may think, in the excitement of the moment, that ambition may be gratified, and that the country may look favourably upon those who prevent the passing of this Bill. Do not believe it. There is a deep responsibility with regard to this question, resting not upon the Government merely, but upon the whole House of Commons. We are prepared, as I think I have shown, to act in all sincerity in this matter. Act with us cordially and candidly, assist us to carry this measure. We will not shrink from deferring to your suggestions so long as they are consistent with the main object of this Bill which we have never concealed from you, and which is to preserve the representative character of the House of Commons. Act with us, I say, cordially and candidly, you will find on our side complete reciprocity of feeling. Pass the Bill, and then change the Ministry if you like.

Question put, and *agreed to:* Bill read a second time.

THE CHANCELLOR OF THE EXCHEQUER: The Mutiny Bill must be taken on Thursday next: on the following Monday, there are Votes in Supply which cannot be deferred. On the 4th of April I propose to make the Financial Statement, and I will therefore give Monday the 8th for Committee on this Bill.

MR. GLADSTONE: I cannot think that the arrangement proposed is the one which would be most convenient to the House. The right hon. Gentleman says it is a matter of great necessity that the Financial Statement should be made on the 4th. Now, no doubt there are sometimes peculiar circumstances which render it very desirable that that Statement should be made at a very early period indeed; but we have not been given to understand that there is on this occasion any great question pending which disturbs the public mind, or which agitates trade and throws it into a state of suspension, such as would necessitate the proceeding with the Financial Statement at a particularly early date. Moreover, it is very difficult, as I know from experience, to get all the facts connected with the finance of the country into a position to be presented to the House as early as three days after making up the year's accounts. If the right hon. Gentleman would tell us whether any great change is contemplated in our financial system, or whether there is any large reduction of taxation which he is able to promise, or any other topic of extreme importance, I, for one, should not, if such circumstances exist, at all object to the proposal which he has made; but otherwise it does not appear to me convenient to the House to postpone the Motion for the Speaker's leaving the Chair until the 8th. I am far from saying that the difference between the 4th and the 8th is one on which I, for one, should think it necessary to go to an issue with Her Majesty's Government, for I do not think the question is one of such magnitude, as to justify that course; but I hope the right hon. Gentleman will be disposed to re-consider his proposal. ["No, no!"] Much more ample time would be allowed for the House either to go through the discussion which may precede the Speaker's leaving the Chair, or to enter upon the consideration in some other manner of the main provisions of this Bill, if he would fix the Motion for the 4th than if he postpones it till the 8th.

THE CHANCELLOR OF THE EXCHEQUER: We have, of course, considered the question from every point of view, and for many reasons we are convinced that the course we are taking is the most convenient for the public interests.

Bill *committed* for *Monday* 8th April.

COUNTY TREASURER (IRELAND) BILL.

On Motion of The O'CONOR DON, Bill to amend the Law relating to the Office of County Treasurer in Ireland, *ordered* to be brought in by The O'CONOR DON, Colonel GREVILLE-NUGENT, and Mr. SYNAN.

Bill *presented*, and read the first time. [Bill 91.]

PUBLIC LIBRARIES (SCOTLAND) ACTS AMENDMENT BILL.

On Motion of Mr. EWART, Bill to amend and consolidate the Public Libraries Acts (Scotland), *ordered* to be brought in by Mr. EWART and Sir JOHN OGILVY.

Bill *presented*, and read the first time. [Bill 92.]

House adjourned at a quarter after One o'clock.

HOUSE OF COMMONS,

Wednesday, March 27, 1867.

MINUTES.]—SELECT COMMITTEE—On Fire Protection *nominated.*

PUBLIC BILLS—*Ordered*—Sale of Liquors on Sunday *; Sale of Liquors (Ireland).*

First Reading—Sale of Liquors (Ireland) * [95]; Sale of Liquors on Sunday * [96]; Traffic Regulation (Metropolis) * [97].

Second Reading—Artizans' and Labourers' Dwellings [14].

Committee—Criminal Law [8]; Land Contracts (Ireland) * [32] [R.P.]; Sale of Land by Auction (*Lords*) * [70].

Report—Criminal Law [8]; Sale of Land by Auction (*Lords*) * [70 & 94].

Considered as amended—Lyon King of Arms (Scotland) * [44].

ARTIZANS' AND LABOURERS' DWELLINGS BILL.

(*Mr. M'Cullagh Torrens, Mr. Kinnaird, Mr. Locke.*)

[BILL 14.] SECOND READING.

Order for Second Reading read.

MR. M'CULLAGH TORRENS, in moving the second reading of this Bill, said, that he would occupy as little of the time of the House as was consistent with the duty he owed to the many people throughout the country who had signified their adhesion to the principle of the Bill. When he had the honour of submitting a similar measure to the House last year he was careful to state that it was introduced from no predisposition or predilection of his own for any peculiar remedy for an acknowledged evil; and that if the House chose to devote that attention to the subject which it deserved, no doubt in its wisdom it would elaborate something much better than anything which his own limited experience could suggest. Without a division, the draft Bill which he then laid before it was read a second time by the House, and referred to a Select Committee, on whom was devolved the task of elaborating its provisions. Without a division, that Committee directed him, as its Chairman, to report the Bill to the House; and the measure which he now asked the House to sanction was *in ipsissimis* the Bill which left the Select Committee. That Committee, as usual, was composed of Members from both sides of the House; but what was not usual, it combined a degree of experience and ability peculiar to the subject, which fairly entitled him to claim the favourable consideration of the House for the result of its deliberations. He was quite aware that to many hon. Members around the principle of the Bill might seem novel, and a departure from that rule of non-interference in the ordinary concerns of social life which was considered one of the corner stones of our national policy in these matters, and he frankly admitted that if a case for the necessity of such interference could not be shown, he had no right to thrust the subject on the attention of the House. He would go further, and say that unless there was a general conviction in the public mind of the urgency of the measure, the House would not be performing its duty in giving its sanction to a Bill founded upon such a principle. No objection had been taken *in limine* to the consideration of the subject. Parliament had recognised the urgency of the evil. It had been said by many that voluntary effort in the way of enterprize, and voluntary benevolence aiding enterprize, would overtake the evil, but he did not then believe that that expectation was well founded, nor did he now, and his opinion was strengthened by the petition which had been presented to the House on the subject. The delay which occurred between the consideration of the Bill in the Select Committee and the subsequent change of Government which prevented it passing its final stage last Session, gave an opportunity for its public reconsideration; and he appealed to every hon. Member who watched the tide of popular opinion upon public questions to say whether there had not been a consentaneity of opinion in favour of this measure. He had had the honour of presenting petitions signed by hundreds and thousands of persons, some being clergymen and ministers of other denominations, others employing great numbers of artizans and labourers, and others again artizans themselves, who were to be primarily benefited by the Bill. On the other hand, it was right to say that the only objections raised to the measure this year emanated from a very small minority of those corporate bodies and local authorities upon whom it would impose additional trouble. Now, let them ask the House to consider broadly this question. They knew that the population was yearly increasing, and that increment was in the great towns, and not in the counties. They knew that the tendency of the day, which the House ought not to attempt to control, was towards the concentration of capital and employment, and the Home Secretary had daily evidence before him that there was a tendency to the congestion of population in a few great centres of industry, in which it required all the vigilance which the Government could exercise to maintain order, keep the peace, and conserve the health of the masses of population. If such were the tendencies of the age, it was not very likely that the evil of which he complained would cure itself. Many of those who on the first blush of the subject were not inclined to agree with him suggested, no doubt in the most disinterested and philosophic spirit, *laissez faire* principle as applied to this question. They said, "We let commerce alone, we let religion alone; why not adopt the *laissez faire* principle as applied to the dwellings of the poor, and let them alone?" He had been a member of the great association for the liberation of trade, and all his life a free trader. He was quite willing to give that consideration to others which he claimed for himself in all matters of conscience. Wherever they had a fair field and no favour, and wherever an evil existed which they could counteract by investigation and inquiry, whether it related to trade, or to an unpopular creed, no doubt the *laissez faire* principle would apply; but he, for one, did not undersand the application of that principle when they had to encounter such evils as fever dens and fever nests. He did not understand how they were in such cases to admit Mr. Carlyle's terrible maxim, enunciated in a moment of sarcasm and scorn (which he feared was literally true), that the doctrine of free competition, carried out to its logical result, meant "success to the strongest, wreck to the weakest, and in the race the devil take the hindmost." Let them ask any man who was in the habit of going amongst the poor to console, to instruct, or to relieve them, what was the universal testimony borne as to the result of their operations? Was it not that it was labour in vain?—that it was sowing the wind; that they were met by the mock of people who had not, literally, a place wherein to lay their heads in peace; who had to work from morn till night, from ten to twelve hours a day; and who on their return had to herd together in places to which not one Member of that House would consign his horse or his dog. How could they expect that a man who found himself surrounded by an infirm wife and sickly children, confined in a dismal den in which all the offices of nature had to be performed, could devote his mind to intellectual pursuits or mental improvement with a view to his regeneration in the social scale? much less could they expect a man under these circumstances to abstain from going to the public-house round the corner and getting threepennyworth of paradise in the shape of gin. The House was not accountable for the acts of Providence; but they were accountable if, having means in their power, they neglected to use them for the purpose of giving these people a chance of moral and physical redemption. Every day they heard it said that our industry was jeopardised by competition arising around them in all quarters. He, for one, did not much fear or much regret that. In that respect he was a free trader indeed. The force of that competition no one could deny, and it was likely to be more or less advantageous or disadvantageous; but what was the greatest interest in this House or of society in this country, in comparison with the performance of that duty which consisted in keeping the skilled classes who lived by labour, in a physically, socially, and morally healthy condition? They had spent two months in debating whether they would enfranchise and give to that class political power. He was ready to go the whole length in that direction; but did they desire the franchise in comparison with a measure that would give them decent homes, without which the possession of the franchise would be a mere mockery, and might become a snare? Everybody who had fought as he had a contested election knew the difficulty and danger of giving political rights to such men. They could not apply the same principle to men in diverse conditions. To men whose extreme poverty had led to the loss of all self-respect, and who were broken down by habits of self-degradation, their patriotic speeches was as idle wind in empty space. He might be told that they could not afford still further to burden the rates, that corporate bodies were afraid to impose any additional rates; but he maintained that it would rather have a contrary effect, and he would ask whether they could afford, in the interest even of the ratepaying community, to leave these evils unredressed? He was prepared to withdraw the Bill, if any Gentleman could get up and say that, as a matter of arithmetic, it would have an injurious effect upon the rates. In the heaviest rated districts the want of such a measure was felt to be greatest. He had presented petitions from the most heavily taxed districts in the borough of Finsbury, where people instinctively knew that if they substituted decent houses for miserable hovels not worth rating, they benefited the general rate. They had instinct or common sense sufficient to know that if for a class of inhabitants living in perpetual fever nests, generating distress and pauperism, they substituted a class living on their own skilled labour in healthy dwellings, they created customers for the small shopkeepers, and by that means diminished the chances and incidences of pauperism. They saw well enough that every skilled man who was prostrated by preventible disease was so much capital withdrawn from the stock of the community which they could not supply by any Act of Parliament. It was not the rent of land or the interest upon money, but the wages of the labourer day by day, out of which the taxation of the country to the amount of some £60,000,000 annually came, and every hand struck down by fever or disease was so much destruction of capital; for he could appeal to hon. Gentlemen in that House, great authorities on political economy, whether the destruction of every hand that could construct a machine, a watch, or an article of commerce which entered into home or foreign competition, was not the destruction of so much capital, which was to be deducted from the aggregate amount devoted to the employment of labour? Therefore, as a mere matter of arithmetic, he believed that this Bill was not calculated to add to the incidence of rating. The machinery of the Bill clearly indicated that in the opinion of the Select Committee it would not increase the burden of the rates; because one of the clauses provided that whenever the local authorities of any district considered that it ought to be cleared of houses unfit for human habitation, and that no others ought to be erected owing to the crowded state of the buildings upon that particular site, they should in that case be subject to such demolition as they would be by law subject to under the provisions of the Act of last Session, which was introduced by the right hon. Gentleman the then President of the Privy Council. He thought he was not stating the matter unfairly when he said that that Act was brought in with a consciousness that a proper complement to it would be found in some such Bill as the present; and when the present Government assumed office last year, he had the satisfaction of hearing from at least one Member of the present cabinet the acknowledgment that the operation of the Public Health Amendment Act alone would rather tend to aggravate than to cure the evil complained of. He believed that in many cases that Act had been wholly inoperative on account of the officers of health shrinking from the performance of the terrible duty of wholesale eviction. He had been through crowded districts in the heart of London where public improvements had been contemplated, and where with that view it had been sought to bring the Public Health Amendment Act into operation for the purpose of removing the miserable dens and hovels of the poor, and where the whole thing had come to a stand-still; because, in the event of the houses being pulled down, the inhabitants would have no refuge but the street, and the officers of health shrank with horror from reducing them to that alternative. They talked about the necessity for public improvements, and the impropriety of making any resistance to the law; but they must remember that the plough-share of improvement had been driven remorselessly through the homes of hundreds of poor men living on the process of their labour, and contributing to the wealth of the State. Was it a question beneath the notice of the House how they were to be dealt with? Was it a matter of no importance to secure contentment among that great class? They might possess generosity and benevolence; but were they to content themselves by telling these poor classes that law and order must be preserved, and that when they receive a notice to quit their homes, miserable though they might be, they must obey without complaint, although the only alternative was being turned into the streets? He would give one instance of eviction that came under his own notice last autumn. Union Court was in that way doomed to demolition last autumn, and scores of families were told they must find other shelter where they could. A deputation of the poorer inhabitants waited upon the President of the Board of Works, and pointed out that the effect would be to turn them into the streets, and accordingly asked what they were to do. The right hon. Gentleman, of course, deplored the hard necessity under which they were placed, but he could suggest no remedy; they must, he said, find other places where they could. What happened? One man, an honest industrious artizan, who was able by his labour to earn 25*s.* a week, and who supported his wife and a family of several children on the produce of his industry, was driven from his home. It had been said that the railways provided facilities for persons so situated, and pleasant pictures of beautiful little cottages, the doors and windows covered with honeysuckle and wild roses, had been drawn by ardent imaginations, where the tired artizan might rest from his labour and breathe the pure fresh air of the country; but he could tell the House that such things were a frightful mockery and delusion, and that the necessity for workmen to live near their work precluded them in most instances from availing themselves of those facilities were they never so great. It was a melancholy thing to reflect that the hardest things to convince people of were those which were most obvious, and it was no wonder that when this class of men found themselves turned out of their dwellings they should manifest some impatience. In the case he was alluding to, the man was turned out of his home. He looked about him a long time in vain. He was, however, necessitated to live near his work, and at last he discovered a single room, overlooking a dirty court-yard, in the neighbourhood of one of our great inns of court. He paid a heavy rent for permission to lay his head in that room. It was in the sweltering days of autumn. Fever watched his victim, tracked him to his new abode, and laid him down on a bed of death. His wife and six children had to remain in the room, breathing the pestiferous fever-laden atmosphere. Why did fever make sure of its victim? I will tell you:

it was because there were in that eight-roomed house no less than fifty-seven living human beings. After the man's death, his wife and six children were thrown on the rates, so that morally, politically, and in every way it was bad economy to allow a state of things to continue by which such results were brought about. The house in question was so full that the officers of the parish shrank from the responsibility of clearing it. It remained, the fever spread, and the great evil to be dreaded in this country was, he believed, not so much the recurrence of the cholera as the prevalence of typhus and the pauperism which, day after day, it was generating. The corporation of Manchester objected to the Bill because they said it might lead to an increase of the rates; but, on the other hand, petitions had been presented from ministers of religion, and others in that town, praying that the measure might be allowed to pass. He held in his hand the last number of the *Journal of Social Science,* where he found a paper by the medical officer of Chorlton-on-Medlock, in which it was stated that in the first eight weeks of this year there were in Salford and Manchester 137 deaths from fever; that in some places the deaths exceeded the births, and that the town might be said to be built over one vast cesspool. Similar testimony was borne by Mr. Reece, the secretary to the Sanitary Association of Manchester, who said that multitudes of the people had their dwelling-places, or he should rather call them their dying-places, amid the scenes which he mentioned. He had, indeed, been told that at Leeds objections were entertained to any interference there such as the Bill might bring about; but he could very well understand that corporations, which in legal phrase were said to have no soul, might in individual instances have no conscience, and he was informed by the consulting physician to one of the great institutions at Leeds that all that was most valuable in the public opinion of the town was in favour of the Bill, and that but little could be accomplished by voluntary efforts, compared with what was required to be done to meet the necessities of the case, adding that he himself was a member of a building society by which a capital of £50,000 had been raised, but that he nevertheless felt the expediency of resorting to the compulsory system proposed. As to the machinery of the Bill, he would only say that he was prepared to welcome any suggestion by which it might be made more workable. He had no parental feeling with regard to any of its clauses, and he invited hon. Members to change them if they thought well, provided they only entered into the discussion in a spirit of criticism favourable to the object which he had in view. There were those who criticized to damage and those who criticized to mend, and it was in the spirit of the latter, admitting the magnitude of the evil, and pointing out how a remedy might be provided, that he trusted the Bill would be dealt with. He earnestly invited the Government to lend their valuable aid—since they could not find time to take up the subject themselves—to render the measure workable. It had been agreed to as it now stood by a Committee upstairs, who concurred in pronouncing it to be a safe measure. In it due care was taken to protect the legitimate rights of property. It was proposed that, as in the case of Liverpool, to which an Act had been granted for the purpose four years ago, which had proved to be most salutary, the officers of health should be enabled to prosecute places unfit for human habitation as evils and nuisances, and that *pro hac* the scope of that Act might be extended to the metropolis. He should not recapitulate the details of the Bill, and if any of its provisions were deemed to require explanation that explanation would, he was sure, be readily furnished by his hon. and learned Friend near him, the Member for Southwark, who had so ably and cordially co-operated with him in the task which he had undertaken. In conclusion, he might observe that a general desire appeared to prevail on both sides of the House to give this Session, by some means, increased political power to those who lived by labour. He would then beg of the House in this, the last hour of the old system of representation, not to refuse its sanction to what he might term a parting blessing, and to show to those on whom they were about to confer the franchise, and who were desirous of improving their own position, that it could do as well for them, while still directly unrepresented within these walls, as they could do for themselves when they possessed the power with which it was proposed to invest them. The hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. M'Cullagh Torrens.*)

MR. SELWIN said, the House owed a deep debt of gratitude to the hon. Member for Finsbury for the manner in which he had grappled with this important question, and for the spirit in which, not only upon the present, but on previous occasions, he had brought forward the claims of those who, whatever might be their prospects for the future, had at least in the past found too few who were willing to advocate their cause. The subject introduced by the hon. Member for Finsbury was one which not only vitally concerned the interests of the poorer classes, but of necessity materially and intimately affected every other class of society. Any one who had visited the dwellings of the labouring classes in the metropolis, or who had read the reports of the medical authorities, must be aware of the fearful overcrowding, bad drainage, imperfect ventilation, and lack of convenience which characterized them, and rendered them almost uninhabitable. Such a state of things stood in great need of a remedy. It was their duty to do all in their power to prevent diseases arising from bad air and polluted water. The reports of the officers of health showed that what might be called the inevitable deaths were eleven in every 1,000 of the population; but the average mortality was as high as twenty-two in the 1,000. The preventible deaths, therefore, were as high as eleven in the 1,000. A Report by Mr. Graham Smith and Dr. Lyon Playfair was published some time ago, in which it was stated that 113 preventible deaths in the 1,000 had occurred in the town of Lancaster, and that these deaths represented a loss of labour to the extent of £16,000. Taking that calculation as a basis, it would easily be seen that as the preventible deaths over the whole country amounted to 220,000 there was thus a total loss of labour to the almost fabulous extent of £32,000,000, the amount in London alone being something approaching to £4,000,000. The evil was a crying one, and demanded instant remedy. He was aware that vast sums were annually expended by charitable individuals for the relief of the poor in the metropolis; but however laudable these efforts were, they only dealt with the evil by mitigating it as much as possible after the mischief was done. What was wanted was a sweeping reform to avert the evil altogether, and this could only be done by an extensive legislative measure. Every day new sites were devoted to public improvements, and the inhabitants of the houses which remained were consequently more densely packed than ever. It might be urged that in advocating special legislative enactments to meet this case, he was overlooking and ignoring the efforts made by private persons, such as Miss Burdett Coutts, Alderman Waterlow, and our great American benefactor; but such was not the case. He accorded to these philanthropic people all the praise which they so well merited; but he could only regard them as pioneers in this great work. To make their labours properly effectual they would require to be invested with compulsory powers for the purchase of sites. There was a class of landlords who traded profitably upon the miserable overcrowding of their bad dwellings, and they would only sell their tenements to charitable persons who desired to erect improved houses at prices far above their value, so that the expense entailed upon the benevolent considerably limited their action, by preventing them doing as much as they desired. As long, therefore, as compulsory powers of purchase were wanting, the good accomplished could never be sufficient to meet the necessities of the case. The Reports of building societies and of model lodging-houses clearly indicated the incalculable advantages which improved house accommodation had conferred upon the working classes, by improving both their moral and physical condition, and largely reducing the rate of mortality among them. The societies were paying an average dividend of 5 per cent, and were immensely improving the localities where they were conducting their operations. The model lodging-houses afforded accommodation to 10,000 persons, among whom the death-rate was only seventeen in 1,000. When, therefore, they remembered, as he had stated, that the average of general mortality was twenty-two in 1,000, and that these model lodging-houses were built in some of the worst localities of London, where the death-rate was sometimes as high as thirty-five, they would acknowledge how vast were the benefits to be derived from good dwellings. The only thing to be regretted was that the sphere of the operations of these model lodging-houses was so limited. It must, however, be borne in mind that the poorer classes of the metropolis amounted to very nearly 500,000 persons, of whom about 250,000 might be set down as living in houses which urgently demanded improvement.

The hon. Member for Finsbury proposed to deal with the evil by applying to Government for a loan of £1,000,000, and he calculated that by means of that sum he would be enabled to provide dwellings for about 35,000 persons. The only fault he (Mr. Selwin) had to find with the proposal was that it was not large enough. Even if the proposal of the hon. Member for Finsbury were fully carried out, there would still remain over 200,000 poor people for whom no adequate provision of that kind would be made. There must therefore, in his opinion, be some more elastic system resorted to of meeting the difficulty. Why should not the Government adopt, to some extent, a principle similar to that which was acted upon in the case of India, where a percentage was guaranteed on the capital invested in railways? He would suggest, therefore, to the hon. Member for Finsbury, to ask for a minimum guarantee of 4 per cent, by which means a large amount of capital might be attracted to the investment he had in view. Such a guarantee might very well be given with a very small amount of risk; because experience showed that a return of 5 per cent was, in those cases, almost certain, and, if a power of compulsory purchase were added, there was every probability that that rate of interest would be increased. The advantage to the public of such a guarantee as he proposed was, that it would attract the sound capital which the commercial crisis of last year had frightened away from commercial speculations; and it was requisite that it should be attracted for this purpose, for he believed that the sum that would be needed would amount to something more like £7,000,000 than £1,000,000, if the wants of the whole population were to be met. He was of opinion that at that moment when the House was talking of reforming itself they should strive to accomplish this great social reform which was so intimately bound up with the interests of so large a proportion of their countrymen. Should the Bill be received with favour by the House he would make a suggestion in Committee that Government should give a minimum guarantee of 4 per cent, and that the amount of money to be borrowed should be largely increased.

SIR JERVOISE JERVOISE said, he thought it was not so much of the premises themselves, as of the mode in which those premises were occupied that there was reason to complain, and he suggested that some amended definition of the words "contagion" and "infection" should be introduced into the Bill.

MR. GREENE said, he was convinced that if some legislation of the kind proposed by the Bill were not proceeded with, this important subject would remain merely a question for declamation at the hustings. He, however, desired to point out to the House that, although the evil of overcrowding was not so great in the agricultural districts as in the metropolis, yet in many districts there was a lamentable lack of house accommodation for the labourers. He had recently gone to reside in the neighbourhood of a village which contained 1,000 inhabitants, and he found that the number of cottages with three rooms each did not bear the proportion of 15 per cent of the whole. The percentage of cottages with two rooms was also very small, and persons of both sexes were consequently obliged to sleep in the same room. The result, in his opinion, of the overcrowded state of the dwellings in the various towns was the production of a greater amount of demoralization than arose from all other causes put together; while it tended also to bring about physical deterioration in a great degree. If better dwellings were provided for the working men, they would the better be able to labour, and for those reasons, not to enter more into detail, he hoped the efforts of the hon. Member for Finsbury would be successful.

MR. AYRTON said, that an hon. Member opposite, who had taken part in the debate, had made some observations conveying an erroneous impression of the objects of this Bill. He regretted that the hon. Member had made so many observations about the metropolis, and so few about the agricultural districts. The fact was that if the number of inhabitants in the metropolis were taken into account it would be found that it contained a smaller proportion of houses of the character referred to in the Bill than were to be found elsewhere throughout the country. In many of the rural districts a worse state of thing in that respect prevailed; but there were undoubtedly within the limits of the metropolis some places which called for the attention of the House, and which must be made the objects of legislation. One merit of the Bill under discussion was, that it did not attempt to go beyond, with perhaps one exception, that which was reasonable and practicable. It was essentially founded on the provision set forth in the 6th clause, which at once showed the distinction by which the whole of its provisions were pervaded. The subject referred to in that clause was disposed of by the Bill of last Session; and the present Bill, therefore, was not what it originally had been. It did not deal with the question of overcrowding, but with property which, owing to altered circumstances, was no longer in a fit condition for human habitation. There was a clause in the Bill—Clause 7—which would undoubtedly require careful consideration in Committee. That clause provided that on the representation of four householders that contagious disease existed in any premises, or that such premises were in a state likely to engender disease, the premises might be condemned. Now, if a house were likely to engender disease, it would be right to condemn it; but it did not follow that a house, because disease existed in it, should be condemned. In his view of the matter, the operation of the Bill was intended to be limited to property the structure and surroundings of which were likely to engender disease; and looking at the measure in that aspect, he did not think it was calculated to excite those alarming ideas which the hon. Member introduced into the discussion. It was quite clear that it was not intended to interfere with the habitations of 250,000 people, or with the erection of new dwellings for them. He was in the habit of walking daily into the back courts and alleys of the metropolis, and he believed that there were very few houses in themselves or in their surroundings unfit for human habitation, provided the number of people living in them was not too great. There were one or two provisions in the Bill which had created some alarm. It was said that if, under the Bill, any premises were declared unfit for human habitation on account of dilapidations or otherwise, the owner would take no further trouble about them, in the hope of forcing the parochial authorities to purchase them, and of getting a jury to award large compensation. Thus the measure, it was said, would enable a man to make his own default of duty the means of extorting money from the public. He trusted that in Committee on the Bill care would be taken that no such abuse should arise. He suggested that the compensation, instead of being assessed under the Lands Clauses Consolidation Act, should be so regulated that the value paid should be only the fair market value at the time, and that no compensation should be given on account of compulsory purchase. There was another point he wished to refer to. He did not think the pretensions of the City of London to exemption from the operation of this Bill could for a moment be entertained. The hon. Member for Finsbury, pressed, no doubt, by the influence of the corporation of London and by the power they seemed to exercise of obstructing useful measures if they did not like them, had been compelled to give way to that pressure; but could anything be more preposterous than that, in a measure for improving the general dwellings of the poor, the most wealthy portion of the metropolis should be withdrawn from the area over which the rate to be levied by this Bill was to be raised? It would be the duty of the House to treat this pretension of the City of London with the indignation it deserved. He believed that the measure, after the removal of certain small errors in it, would tend to get rid of serious evils in the metropolis and other places, and that it would be in no way inconsistent with the improvement of property.

Mr. POLLARD-URQUHART said, that he could bear testimony to the necessity which existed for the enactment of some such a measure as this; and he desired to urge upon the House the claims of 100,000 of his Irish fellow-countrymen to better house accommodation than they now had in the metropolis. In many cases a father, mother, and five children all lived and slept in one room, and it was marvellous that more contagious disease did not, under the circumstances, prevail. A good labourer might obtain employment, but the great drawback he felt arose from the miserable dwelling in which he was obliged to live. The measure was one in the right direction, and he trusted it would be carried into law.

Mr. E. POTTER admitted that some measures should be taken to improve the dwellings of the working classes, and he would go to any length in the adoption of sanitary regulations; but he was fearful the present Bill proceeded too far. He thought that overcrowding was the cause of all the evil, and he was prepared to assent to any measure which would remedy that mischief; but he objected to the power proposed to be given by the Bill to local authorities to compete with private persons in building houses. The evil of overcrowding could be dealt with without the adoption of any such a measure as that. He would suggest to the House to consider whether it was not desirable promptly to enact some measure prohibiting more than a certain number of persons residing upon a square acre. Corporations might clear spaces, and sell them as sites for suitable houses, but he did not think that they ought, unless when absolutely necessary, to build houses; and if they were forced to erect them, they ought to sell them as soon as possible. Even in the latter case there would be this objection, that such houses would come into private builders' hands. He did not think that this Bill would meet the evil of overcrowding, but he should not oppose its second reading, and should probably in Committee not oppose any clause except that which allowed corporations to become speculative builders of houses.

MR. HENLEY said, he thought that the importance of the Bill could not be overrated. The hon. Member for the Tower Hamlets (Mr. Ayrton) had truly stated that the Bill had nothing to do with the question of overcrowding, but only dealt with those dwellings which, from their structure or other circumstances, were not fit for human beings to live in. He did not believe that hon. Members who had not the opportunity of serving upon the Select Committee of last year on this subject could have any idea what a difficult matter it was to deal with. The Bill brought in by the hon. Member last year was first submitted to that Committee, and after some discussion two or three fresh drafts of Bills were brought under consideration, but each succeeding draft seemed to throw less light on the subject. At length the Committee heard that an Act relating to this matter was working well in Liverpool. The Committee obtained a copy of that Act, and the present Bill was pretty nearly identical in all its main provisions with it. He believed that the Bill with the limited operation, which it was now intended to give it, would work satisfactorily in this great metropolis. Whether or no the clauses about compensation should be more guardedly worded, was a question to be considered in the Committee on the Bill. He was quite certain, when he knew that the hon. Member for the Tower Hamlets had looked into the Bill, that the City of London would not escape criticism. He freely gave his assent to this Bill, because if buildings were unfit for human beings to dwell in, it would be a great advantage to pull them down, and, as they could not be pulled down without somebody paying for them, he thought that the payment of a moderate rate, spread over the whole surface of this great city, was not too great a sacrifice to make for such a purpose. It might be a question, whether the provisions as to the re-building of houses by the local authorities on the sites of those pulled down should be persisted in. That portion of the Bill was not in the Liverpool Act. Of course, if houses were cleared away, and no others were built to supply their place, the evil now complained of would be increased, because people would then be driven to inhabit improper dwellings. It would therefore be necessary to make some provision for the erection of houses in the place of those that might be pulled down. At the same time, he should be sorry to give his assent to any principle so wide and dangerous as that the public was, under all circumstances, bound to provide dwellings for the labouring classes. If the public was once brought into the matter you would stop the private enterprize which was now to a certain extent at least meeting the difficulty. But, as far as he understood the Bill, he thought that it did not go too far, and that the principle was safe. He should therefore give the measure his hearty support.

MR. BRUCE said, he had listened with great gratification to the speech of the right hon. Gentleman the Member for Oxfordshire. The Bill undoubtedly involved a slight invasion of the rights of property as hitherto understood; but it was an invasion sanctioned by common sense and approved of by the right hon. Gentleman, whom no one would accuse of being indifferent to the rights of property. This was not a Bill to enable local authorities to build cottages wherever they were wanted; but was simply a measure empowering them to pull down houses which were unfit for habitation, and then, after allowing due time, if the owner neglected to do what was necessary, to construct new habitations in the place of the old. It had been argued that the Bill did not deal with the evil of overcrowding. To a certain extent, however, it would; because no doubt the new houses which replaced the condemned buildings would be more spacious and better adapted to the wants of the working classes than the old ones. Undoubtedly the legislation of last year was very severe; but the House showed its reliance upon the humanity and discretion of the local authorities, and its confidence had been justified by the result. That which had occurred in Glasgow and Liverpool would occur in other places. In Glasgow it was found that no sanitary regulations, no vigilance on the part of the authorities, could expel typhus from many overcrowded parts of the city. The corporation found it absolutely necessary to make wider streets; but they could not effect that object without depriving a large portion of the population of their residences. They came to Parliament and obtained power to raise in the course of a year no less than £1,250,000, to be expended in the removal of old and the erection of new dwellings. Liverpool had done the same thing. Money had been laid out in the purchase of spaces, and he believed that a small sum would be applied to the building of houses. It was competent for any town in which private enterprize did not supply the wants of the population to come to Parliament and ask for powers as great or greater than those which these two places had obtained, and the House would deal with each case according to its own merits. Such powers would in many cases be a very useful supplement to private enterprize; but he confessed that he should in all places prefer to rely upon private enterprize in the first instance. He was glad to see that this Bill contained provisions which were not in the original measure, enabling local authorities not only to pull down houses and to build others in their place, but also to pull down houses and employ the space upon which they had stood for the purposes of general ventilation. That was, in his opinion, a most valuable and a most necessary power; because in the case of a town already overcrowded, to build up new houses on the sites of the old houses pulled down would only be continuing the existing evil. The enormous mortality which existed in many of our towns, was due not to the neglect of any sanitary precautions, but to radical defects in the structure and arrangement of the buildings. Look at Liverpool. The deaths in that town last year amounted to forty-one in 1,000, which meant that one in every twenty-five of the population died. The deaths were 2 per cent in excess of the births. If Liverpool was in a proper state there was no reason why one half of these deaths should not be prevented; and let the House consider what an immense amount of human suffering would be saved if such a reduction could be effected. There was no reason to fear that the powers which would be conferred upon the local authorities by this Bill would be abused. Those bodies were in most cases the representatives of, and elected by, the ratepayers; and as the expenditure to be incurred under this Bill was not likely to be remunerative, it was fair to suppose that it would not be incurred unnecessarily. Under the most favourable circumstances, private societies which had invested capital in the erection of dwellings for the labouring classes only obtained a return of about 5 per cent. In this instance the property was to be taken compulsorily; and as public bodies were always dealt with rather hardly by juries, the purchase money was likely to be excessive. It might, indeed, be necessary to insert in the Bill some provisions to prevent as far as possible the awarding of excessive compensation. The most valuable principle contained in the Bill was that the rights of property were not to be exercised to the detriment of human health and human life. He was happy to say that the sanitary legislation of last year was, as he had heard from various quarters, working well wherever it had been put in force. The provisions against overcrowding had already produced great improvements in some of the most crowded districts; but great inconvenience was still occasioned by the want of proper dwellings in sufficient quantities. This Bill took a step towards removing that evil, and he looked to a great public effect being produced by the eloquent and powerful speech in which the second reading of the Bill had been moved by his hon. Friend. After all, it was not so much by legislation as by convincing the public generally of this want of improved habitations, which existed alike in town and country, that they must look for real improvement; and that was likely to be greatly promoted by appeals so eloquent and so well grounded as that which the hon. and learned Member had addressed to the House.

Mr. THOMAS CHAMBERS said, that judging from the speeches made that morning, nine-tenths of the mischief referred to was mischief which the Bill did not touch at all. Notwithstanding the speech of the hon. Member who represented that £7,000,000 would be required to correct the evil which this Bill was intended to remedy, the hon. Member for the Tower Hamlets contended that when they came to contrast the metropolis with the rural districts it was not open to the reproach which had been implied; and if the houses in the metropolis were examined, the number of houses to which this Bill would apply would be very few. He contended that there was a twofold reason against the Bill, first because it did not address itself to overcrowding, which was the great cause of the evil in question; and secondly, because the real object to which it did address itself was one of very limited extent. The evil complained of was caused by very special circumstances, caused partly by the introduction of railways into the metropolis, north, south, east and west, and partly by the promotion of great public improvements. If the evil complained of were the result of special, temporary, and local causes, that was a reason why the House should hesitate to take an entirely novel step in legislation. But, further, the list was already in course of being rectified by the legitimate and wholesome operation of private philanthropic enterprize acting on sound commercial principles. More was being effected in large towns to remedy this class of evils than had been done in fifty years before. They would stop the good that was being done by attempting to do it in a way which he thought experience had shown to be highly objectionable. To give local authorities the command of funds for the purpose of effecting such supposed public improvements as were contemplated under the Bill would be highly objectionable. The true remedy would be to give every local authority power to abate nuisances, and when the owner of house property kept it in a state to create or propagate disease he should be treated as a misdemeanant. He earnestly hoped that this measure, if it went into Committee, would be seriously altered, otherwise he should be inclined to give it his opposition.

MR. J. B. SMITH said, the real question before them was whether the object sought by this Bill—namely, better dwellings for the poor, would be accomplished by its provisions. In his opinion it would not. No one could doubt that the local authority in every town ought to have power, for the public benefit, to restrain the owners of houses, unfit for human habitation, from spreading disease in its neighbourhood. But this was all the power it ought to have, and, as he should endeavour to show, was all that was required to meet the evils complained of. This Bill, however, provides a most cumbrous and expensive process. Every local authority is to appoint an officer of health. The officer of health shall report any premises in a state unfit for human habitation to the clerk of the local authorities, and to the clerk of the peace. The clerk of the peace shall lay the report before the grand jury. If the grand jury make a presentment the local authority shall cause a survey to be made. Notice shall be given to owners of property. If owners will not execute sanitary works the local authority shall do them. For this purpose two surveyors shall value the premises. If owners will not accept the valuation, then the premises to be assessed by a jury under Lands Clauses Consolidation Act. Compensation is to be paid to the tenants for quitting dwellings pronounced unfit for human habitation. The houses are then to be taken down and re-built by the local authority, who are to be entitled to loans from the Public Works Commissioners for this purpose; but the local authorities must sell such houses within seven years, or they will be forfeited to the Crown. This Bill would introduce a system involving new and expensive establishments in every locality, and open the door to extensive jobbery and fraud, while it would fail in creating increased and better dwellings for the poor. It appeared to him that the objects sought could be attained without infringing the principles of political economy. It was no part of the business or duty of a local authority to buy land to build houses. What was wanted was more houses; but how could it be expected that anybody would enter into competition with the local authorities who sought no profit on building them, and whom, we are told, are only to get a return of 3½ per cent on the money laid out? Capitalists, instead of building houses would wait to buy, from time to time, at half price those built by the local authorities, which they will be obliged to sell within seven years. The true remedy to provide healthy dwellings for the poor was to give power to local authorities, when proper ventilation is wanted in streets, alleys and courts, to purchase land for the purpose of opening them out. To prevent the future building of houses, except upon proper principles of drainage and ventilation. They should also have the power instead of buying dwellings unfit for human habitation, to shut them up, and thus force the owners either to render them habitable or to sell them. Thus the objects sought would be attained without violating any economic principle. Unless the Bill could be altered in Committee, so as to get rid of the objections which had been pointed out, he should vote against it.

Mr. LOCKE was satisfied that if his hon. and learned Friend (Mr. Thomas Chambers) had represented any other part of the metropolis than Marylebone, his feeling would have been to support this Bill. He was, no doubt, right in saying that there were other things besides good dwellings which the working classes required, and that amongst them was good food. But the House had legislated already in reference to food; though in consequence of the strong dislike to rates, the Adulteration of Food Act had not been carried out. The parishes would not go to the expense of having a laboratory and a proper person to test the quality of articles of food. The hon. Member for Marylebone seemed to have shut his ears to the observations which had been made by the right hon. Gentleman the Member for Oxfordshire, and by other hon. Members who had addressed the House during the debate; and when the hon. Gentleman spoke of the overcrowding of houses, he seemed to have forgotten that a Bill for the purpose of remedying that evil had been brought forward last Session. This Bill had nothing to do with overcrowding, from which he said that nine-tenths of the evils complained of arose. Overcrowding was met by the Health Bill of last Session, which he was glad to learn from the right hon. Gentleman (Mr. Bruce) was acting so beneficially in Glasgow and other large towns, many of the provisions of which were opposed by the hon. Member. The Public Health Act, however, gave no power to remove dwellings in which people could not live without incurring the danger of fever, though it gave power to close houses if they were overcrowded. That was a great benefit; but it did not altogether meet the case. The present Bill, consequently, did not propose to deal with houses that required to be closed for a time for renovation, but with houses that were condemned as unfit for human habitation. It proposed simply the abatement of a nuisance upon a large scale, and with higher powers than were possessed under the ordinary law; and it provided that, in addition to the houses which were a nuisance being removed, other houses should be raised in which people could dwell with comfort to themselves and with benefit to the community. The hon. Gentleman who had just sat down raised an objection to the Bill upon the score of political economy; but it seemed to him (Mr. Locke) that political economy was a thing which was more abused than anything else. If you wanted to be disagreeable, political economy would fit you for it; and if you wanted to be uncharitable, you had only to say that it was contrary to the principles of political economy to give away your money without receiving an equivalent. He did not say that his hon. and learned Friend wanted to be disagreeable; but he began by opposing the Bill on the ground of political economy, with an energy that would probably lead to his object being defeated. Then he said that he was afraid of the expense; and, indeed, a rate was one of the most painful things known of in Marylebone. But in this city we must have rates, seeing that we had not, as they had in Paris, an *octroi* duty; and the collection of such a duty in London would certainly be inconvenient, for you could not go down to the Crystal Palace and back without having your pockets searched to see if you had brought back a roast fowl with you. The truth was that rates were at the bottom of the parochial mind; but it was of no earthly use for any hon. Member to contend that the persons who dwelt in these houses would not be benefited by the proposed rate. There was no doubt the measure would be expensive; but he thought that matters of political economy had better come on when they were in Committee, so that they might see whether they could not find some better mode of awarding compensation for property taken. He was no admirer of the Lands Clauses Act, and compensation was to be awarded under the powers of that Act; and it was a very important question whether there could not be found some better mode of awarding compensation, and at the same time of preventing frauds from being perpetrated upon the local authorities. This, however, was matter of detail. The great object of the Bill was to remove those dreadful blots that existed upon the face of our towns—the fever nests, in which infectious and contagious diseases were bred. When the question was as to removing these places, he did not think that they ought to be influenced by the consideration of the cost of the removal. This was a thing which sooner or later must be done, whatever the pecuniary cost might be. It was all very well to propose to take the labourers by railway from their work in the metropolis to dwellings in the country; but the labourers were not desirous of leaving the localities in which their work was performed; and it would be far better to afford them proper accommodation in the neighbourhoods where they now resided than to transport them, like so many oxen, to some place outside the metropolis when they had done their work, in order that they might be brought back again to resume their occupations on the following morning. Working men, like other people, wished to enjoy themselves when their work was done, and they should be enabled to live near to their work as well as their recreation. He hoped that the Bill would be read a second time without a division, and that they might go into Committee with the desire to improve the Bill, and not to evade the operation of the provisions in it.

MR. GRAVES said, he was glad to have it in his power to give some interesting information to the House as to the operation of an Act on which this Bill had been mainly modelled. About three years since, Parliament had passed a local Bill, having for its object the sanitary improvement of the town he had the honour to represent. That measure gave the local authority power to deal with ill-ventilated and ill-constructed courts in the town of Liverpool. The promoters of that Bill knew well they were dealing with a new principle, and did not venture to go beyond the simple act of demolition; but from the operation of the Act he was justified in saying that the House would do well to pass the present Bill, which proposed to complete the work in the metropolis which, in the case of Liverpool, had been only half done. During the time the measure had been in operation in Liverpool there had been only three presentments, embracing 900 houses. There had been no difficulty in settling with the owners of property, for they and the local authorities had mutually arrived at agreements as to the sums to be paid. Nor had there been an appeal in any case from the decisions arrived at. It might therefore fairly be presumed that no danger need be apprehended from this Bill. The machinery of the Bill did not in any way interfere with the rights of property. Over £100,000 had been already expended under the operation of the Act in Liverpool, and a further sum of the same amount was now being applied for in order still further to carry out its operations. He thought rating in such a case might be regarded as simply an insurance duty, or as a premium paid in order to improve the sanitary condition of the town, in which every inhabitant, whether high or low, had the deepest interest. Such a measure as this had become a political necessity. It was as much the duty of local authorities to prevent disease as it was to cure disease, and this prevention was the principle of the Bill. The necessity, therefore, was shown for this measure; but he hoped that in many of its details the measure would be improved in Committee. The hon. Member for Marylebone had thrown out the suggestion that private philanthrophy might effect the purpose of the Bill; but private philanthrophy could not deal with private property in the manner in which the Bill proposed to deal with it. Private philanthrophy could not deal with a strong hand with ill-lighted and ill-ventilated courts; it could build up, but it could not demolish. The corporation of Liverpool had lately voted £20,000 for land to be appropriated to the erection of labourers' dwellings; but not a single builder could be induced, even on the most advantageous terms, to build the houses on his own responsibility, and the corporation had now decided to erect the dwellings on their own account. He believed, however, that in time, when it was shown that it was possible to build up such houses as this Bill comprehended, and to make them remunerative, the whole question might be safely left to private enterprize. After duly considering the whole circumstances of the case, he had come to the determination to give his most hearty support to the Bill.

COLONEL SYKES said, he entirely concurred in the object of the Bill, which he believed was calculated to promote the health of the working classes. Care must, however, be taken that that object was not defeated by the overcrowding of the new buildings it was proposed to erect in the place of those which were to be demolished. The miserable condition of the inhabitants of the present dwellings was not caused so much by the inherent defects of those buildings as by the fearful extent to which they were overcrowded. There was great need for such a measure, for he recollected one occasion when he himself had seen, when inspecting lodging-houses, as Chairman of the Committee to inquire into the condition of the poor, no less than twenty-two persons inhabiting one room in which a corpse was lying.

MR. POWELL said, that when a Bill similar to the present was introduced into the House last Session it was divided into three branches—the first of which related to sanitary arrangements; the second to the destruction of old and condemned houses; and the third to the construction of new buildings. The provisions respecting the first branch were framed according to those of the Sanitary Act of 1865; but that Act was said to be unworkable. Now, he was a member of the Select Committee to which that measure was referred, and if there were any defects in its provisions he, as well as the other hon. Members of that Committee, would be ready to concur in any measure that would remove every blemish and obliterate every complaint. It was the intention of the present Bill to create a machinery for an extensive system of re-building by the municipal authorities. He, however, thought that the handle by which the authorities were to get hold of those buildings was far too meagre and too weak to accomplish the objects in view. This Bill, as now framed, could only operate where there were houses infected with contagious diseases. Now, the term "contagious disease" was an ambiguous expression, and he would suggest the introduction of the word "dangerous" before "contagious." He confessed he regarded with great jealousy any interference with private property, and he hoped that such checks and safeguards would be provided as would remove any apprehension on that score. Remarks had been made in the Report of the Public Officer of Health in 1865 which were full of instruction. When it was proposed to extend the Liverpool Act to other districts objections had been taken that a measure which was enacted to improve the sanitary state of towns like Liverpool, in which the death-rate was extremely high, was inapplicable to other towns in which no such evil existed. Dr. Hunter remarks with wisdom—

> "When the extension of the principle of the Liverpool Act to other large cities is thought of, it is impossible to avoid a degree of apprehension that officers able to carry it out are not easily found. The officer might be made the instrument in the hands of shrewd speculators."

Colonel Sykes

In Bills of this character great precautions were necessary to prevent owners of house property wantonly allowing their property to fall into decay and ruin, speculating upon the probability of their being purchased by the corporation of the town, with a view to their re-construction on approved sanitary principles. That was a great and serious danger. In this respect the Bill might create more mischief than its machinery could cure. He did not think that the power of private enterprize with regard to this question had been sufficiently appreciated. It had been proved that the best way of supplying the people with sufficient and wholesome food was to allow to trade its free and unimpeded course. The same argument might be applied to this subject of healthful habitations for the working classes. But if public capital were brought into competition with private capital he believed that the latter would retire altogether; and they would only be increasing the mischief which they were endeavouring to cure. What was the case of Bradford, which was referred to last Session? In the houses of that town there had been great overcrowding—an evil which had arisen in a great degree from the action of the corporation in placing restrictions upon the obtaining of sites for building purposes. An improved state of things having since taken place, a considerable number of dwellings had been built by large owners of property and employers of labour. A friend of his own was at present building no less than 300 houses for workmen, and several other gentlemen were following his example. Notwithstanding his confidence in private enterprize, he wished success to the present measure, after the introduction of needful amendments. He, however, suggested an Amendment in the 7th clause, which as it stood proposed to enact that when buildings were once taken down under the powers of the Bill, no other structure should ever be raised upon the site. Now, it might so happen that in the course of a few years the district where those houses had stood had been wholly re-modelled, and it might be necessary, in order to complete the public improvements in contemplation, to rebuild houses upon the vacant spot for the benefit of the workmen themselves. Surely in such a case no such clause should be allowed to operate. He hoped, however, that in Committee this and kindred blemishes would be removed from the Bill.

Mr. THOMAS HUGHES said, he had hoped that it would not have been necessary for him to trouble the House on that occasion; but as he was informed that the opinion of the House upon the Bill was to be ascertained by means of a division, he felt that he could not give a silent vote upon the question under discussion. The object of the Bill was twofold. It was framed, in the first place, to authorize the pulling down of habitations which were confessedly unfit for human occupation; and, in the second place, to enable the municipal anthorities to erect upon or near the sites occupied by such houses suitable dwellings for the accommodation of the poor. It was upon the latter provision that it was intended to take the opinion of the House. It was suggested that the Bill should be allowed to be read a second time, and that that portion of it authorizing the construction of new buildings should be struck out in Committee. But he thought that this portion was a most important part of the Bill, seeing that if the existing buildings were demolished their inhabitants would have to squeeze themselves into the remaining houses of the same class, and that thereby the evils of overcrowding would be greatly exaggerated. The hon. Member for Marylebone desired that it should be left to private enterprize to build the dwellings required to replace those demolished under the provisions of this Bill; but it would be many years before private enterprize would build a sufficient number of houses to meet the daily increasing demands for labourers' dwellings; and in the meanwhile the ejected inhabitants would lose all sense of decency and morality, in consequence of being forced to seek refuge in houses which were already overcrowded. Otherwise, they were driven into the villages in the neighbourhood of London to the destruction of their business connection and their morals as well; for the places to which he referred were little better than brickfields filled with a wild and lawless set, whose characteristic was an absence of the civilization supposed to belong to England. They would neither have a church to go to, nor the influence of the higher classes around them; but they would grow up indiscriminately and become blots on our civilization, and a great curse to the metropolis. Therefore, he felt it absolutely necessary that when the houses of the poor were destroyed others should be built in place of them. The Bill did not propose to give the municipal authorities power to rebuild until the owner of the destroyed property had declined to do so; and he thought that no hardship towards a proprietor who refused to do his duty. In view of the noble example of the Marquess of Westminster, and the improved state of public feeling with regard to this matter, he assured the House that in passing this Bill it would only be keeping pace with the spirit of the times, and responding to the most emphatic call made by the present state of the metropolis.

Mr. HUBBARD said, that if the hon. Gentleman who had just sat down considered this to be a matter to which the rules of political economy ought not to be applied, he dissented from that opinion. Political economy in its true sense, and properly understood, could not discourage any object from being carried out concerning the welfare of the people. In this particular instance no view of political economy ought to arrest the convictions of hon. Members from going entirely with the principles of this measure. The measure was divided into two parts. The first twenty-six sections of the Bill had reference to sanitary objects, and their object was directed to the demolition of houses unfit for habitation. To that portion of the Bill there could be no possible objection; but the sections which followed were of a more questionable character, inasmuch as they interfered somewhat arbitrarily with the rights of property; but the defects of the Bill in this respect could, he thought, be easily remedied in Committee. It should not be forgotten, with regard to the question of re-building, that some houses which should most certainly come down were built upon sites unfit for any dwelling whatever, such for instance as houses standing on the brink of stagnant water, and it would be unwise to insist that the new houses should be built on precisely the same site as was formerly occupied by the houses displaced, for not even if they were to be built of marble, would it be possible to render them wholesome and fit for habitation in insalubrious sites. With regard to the borrowing provisions of the Bill, he thought it would be best if the promoters conferred with the Government with a view to see whether it was not desirable, instead of creating new borrowing powers, to avail themselves of the Act of last Session for the improvement of labourers' dwellings as a means for raising money. He found that the Bill contemplated the raising of money by seven years' mortgages. Such a mortgage would, he thought, lead to embarrassment in the future, and land the corporate bodies in much the same position as those unfortunate railways who were unable to take up their debentures or prevail upon the public to renew them. In the hope that the promoters of the Bill would be prevailed upon to trust to past legislation for all purposes connected with the raising of money, and would confer with the Government upon the subject, he would promise to vote for the second reading of the measure.

Mr. BAZLEY said, he thought it would be impossible for the municipal authorities of themselves to give effect to all the provisions of the Bill. Two things were needed to bring about a reform in labourers' dwellings. In the first place, labourers must be induced to appreciate good dwellings and to pay the rent; and in the second place, capitalists should be willing to erect such dwellings. Without these two conditions existed the labouring classes would not find themselves adequately provided for; because it was impossible, in his opinion, for private benevolence and corporations fully to minister to the wants of the poor in the matter of dwellings. At Manchester a sum of £100,000 had been accumulated for improved dwellings by a single club; but that was a paltry sum for the purpose, as some millions of pounds would be required for the erection of healthy and commodious dwellings. Corporate authority had certain duties to perform; but he denied that it was the duty of corporate bodies to become dealers in land and buyers and sellers of houses. He desired especially to call attention to one clause in the Bill which provided that in case the owner of condemned property objected to its removal the local authorities were to remove it, and pay compensation to the owner for the loss and damage sustained by such removal. That, he thought, was nothing less than offering a premium to negligent proprietors; many, who would otherwise attend to their property, would, in the hope of getting a high price from the local authorities, proceed to neglect it. With regard to the question of nuisances, he felt that a much more rigid inspection was required than existed at present; he thought even Imperial inspection was necessary to correct the evils that had been spoken of during the debate. He was anxious to see the working classes occupying good houses; but, on the other hand, he did not wish to see the ratepayers oppressed. Altogether he felt the Bill was at fault, inasmuch as it did not go sufficiently on the principle of self-help, the mainspring of all healthy action in the kingdom; still, he hoped the Bill would be committed, and when in Committee, he trusted that his hon. Friend who introduced the measure would consent to certain desirable improvements in its provisions.

Mr. WALPOLE said, he wished to say a few words upon the Bill before the discussion closed. That something was needed to stop the frightful consequences of overcrowding no one for a moment could doubt; and he felt that it was imperatively necessary that powers should be given to some local authority with a view to get rid of those dwellings which permitted overcrowding, and led to the spread of disease. It was equally undesirable that new houses should be built to replace the old, so that the poor might not be unnecessarily inconvenienced; but it would be worth while considering in Committee whether provision should be made not merely to erect new and better houses on the sites of old ones, but also to secure new sites for labourers' dwellings. However, in pursuing that object, care should be taken not to go too fast, and they ought to be very watchful, as had been pointed out by the hon. Member for the Tower Hamlets, that they did not by one of the clauses of the Bill put into the pockets of those landlords who had neglected their duty anything more than the market value of the property which was taken from them. The clauses in the Bill relating to loans to be granted, as to the security to be taken, would require re-consideration; and he thought it would be better if the hon. Member who had charge of the Bill would communicate with the Treasury upon that point before going into Committee. In conclusion, he thanked the hon. Member for having introduced what he thought would prove to be a very good Bill.

Mr. M'LAREN said, that as one of the Committee to whom this Bill was referred, he cordially approved of its leading provisions. He thought a misapprehension had taken place on the part of the hon. Member for Buckingham about the objection to the paying off the debentures at the end of seven years. If Members would look at the structure of the Bill, they would see that the local authority were obliged to sell whatever houses they might erect on the sites acquired within seven years. The Committee were anxious to have made the period a shorter one; but if they had fixed the number of years at three or five, parties intending to purchase might have waited until the end of the term, in the hope of making a good bargain. The Committee therefore fixed the period by which all the houses to be erected must be sold within seven years, a period which secured that the property would be in good condition, and that no very extensive repairs would be required. If the property was sold within the seven years it necessarily followed that the mortgages must be paid off within that period. All the Treasury was asked to do was to advance money to the value of the buildings, and not to the value of the site, and there was no possibility of danger as regarded the repayment. He did not at all sympathize with those who thought that corporate bodies would be going out of their province in carrying out the provisions of the Bill. There was nothing more important for the health of large towns than that the corporate bodies should deal with these centres of contagion; and unless the houses were uninhabitable they were not meddled with at all. He held that it was the duty of corporate bodies to take possession of such buildings and pull them down; but it might be better to keep open spaces on the sites of the destroyed property. When new buildings were required, they should be of such a class as would benefit the poor. It had been explained that three or four draft Bills had been drawn up. In one of those drafts a clause existed which he should have liked to have seen incorporated in this Bill, and that was that the local authorities, in place of purchasing the site, and erecting buildings thereon, might require the party to whom they belonged to put them in a proper state of repair, on pain of having the premises shut up, as being unfit for occupation; and being subject to a fine for every day this rule was violated. That was an alternative provision which he thought might still be introduced with advantage.

MR. HARVEY LEWIS said, that the Bill proposed a metropolitan rate of 3*d.* in the pound, and called the attention of the House to the fact that, although many of the people of London were exceedingly poor and kept their heads above water by means of great economy, the course of recent legislation had been to impose heavy burdens upon them. The Metropolitan Poor Bill would increase the rates, so would the Metropolitan Improvement Bill, and now this measure proposed to add another 3*d.* in the pound. Where was it proposed to put the poor who would be evicted from the dwellings that were proposed to be pulled down during the process of the removal and re-building of those houses, and how would the new buildings be managed? Was it intended that the Board of Works should have a large staff of agents for this purpose, and was it thought desirable that a powerful body like the Board of Works should be put into competition with private enterprize? He regarded the measure as one that would be exceedingly expensive, and he had no doubt, from what he knew of the tendency of juries to award large sums in compensation cases, that much more than the real value of the dwellings proposed to be taken from the present owners would have to be paid. Notwithstanding the House jealously examined the National Estimates every year, it was content to give enormous powers to the Metropolitan Board of Works for raising money, and refrain from adopting any means of auditing that Board's accounts to see that the money was not wastefully expended. He was willing to give local authorities full power to condemn any dwellings unfit for habitation, the owners of which would thus be obliged either to sell them or put them in repair; but he objected to making the Metropolitan Board of Works or other corporations great building speculators, with no risk to themselves, but with great risk to the ratepayers, many of whom, by reason of their poverty, were hardly able to keep their heads above water. Private enterprize, which was being more and more directed to the erection of artizans' dwellings, might be safely trusted to provide what was required, whereas if it were exposed to competition with public bodies it would become paralyzed.

MR. KINNAIRD said, there was no intention to compete with private enterprize, for in nine cases out of ten the owners would themselves carry out the necessary improvements, and not throw the property into the hands of the local authorities. Nor would the rates be increased, for what was proposed was in the nature of a guarantee fund, and the money expended would ultimately be recouped. It was rather calculated to lessen the rates; because the mortality which took place in these unhealthy dwellings was one cause why rates were high. He sympathized with the Members for Marylebone, who only represented the views of the particular locality with which they were connected; but the experience of Liverpool showed the fallacy of the apprehensions which had been expressed, and the suggestions which had been offered could be duly considered in Committee.

Mr. DAVENPORT BROMLEY said, it was quite time that some interference of the House should take place with regard to the long-continued and uncompensated destruction of labourers' dwellings. If a railway through Grosvenor Square were projected, many hon. Members would assuredly come down in order to upset the scheme; but during several years past Bills had been passed without a single remonstrance sanctioning the demolition of the dwellings of tens of thousands of the poorer classes. He was not prepared to express entire approval of the Bill, but he should certainly vote for the second reading.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday* 12th June.

CRIMINAL LAW BILL.

(*Mr. Russell Gurney, Mr. Coleridge.*)

[BILL 8.] COMMITTEE.

Bill *considered* in Committee.

Clause 5 (If Witnesses for Accused, bound by Recognizance, appear at the Trial, Court may allow Expenses).

Mr. RUSSELL GURNEY moved an addition to the clause, providing that "such allowances and compensation shall be paid as part of the expenses of the prosecution."

Mr. HENLEY said, he thought the Amendment would effect a great improvement in the Bill; but on one point it did not go quite far enough. The object of the Bill was to put the defendant or prisoner and the prosecutor upon equal terms. The prosecutor might now bring witnesses upon the trial who had not been before the committing magistrate, and if the defendant satisfied the court that the witnesses whom he likewise brought up on the trial could not have been brought before the magistrate, it ought to be in the discretion of the court whether those witnesses should be allowed their expenses or not. As it was, the defendant was put in an inferior position.

Mr. RUSSELL GURNEY said, he agreed in the propriety of the right hon. Gentleman's suggestion; but being desirous of feeling his way in this matter, he was afraid of attempting more than he had already proposed. It should be recollected, moreover, that while it was the practice for a prisoner's legal adviser to be informed of any additional evidence that was intended to be offered against him, the prosecutor did not obtain corresponding information from the prisoner.

Clause, as amended, *agreed to.*

Clauses 6 to 8, inclusive, *agreed to.*

Mr. RUSSELL GURNEY proposed a new clause, giving Judges a discretionary power of allowing the expenses of the prosecutor and his witnesses in all cases of misdemeanour except those of a local or personal nature.

Mr. CHILDERS asked the House to pause and give the Bill further consideration before they allowed it to pass. He specially called the attention of the House and of the Government to what they were now doing with respect to expenditure. In certain cases expenses were paid not only for the attendance of witnesses, but for counsel and attorneys engaged in the prosecution. Those cases were limited to certain charges of felony and a few cases of misdemeanour. But by this Bill not only were all the expenses of the prosecution to be paid, but also all the expenses on the part of the defence, even in cases where a person was charged before the magistrates but not committed. This was taking an enormous leap, nor would they rest there, for the next step would be to throw the costs of the attorney and counsel on the public. They were getting into a flood of expenses of the amount of which they knew nothing whatever, for no estimate had been made as to what the expense would be. All criminal cases would, in a year or two, come to this, that prosecution and defence would be a little game carried on entirely at the expense of the Consolidated Fund. The House, before sanctioning this measure, ought to have an estimate of the expenditure which it would involve, and this, he apprehended, would be considerable. In the Jamaica prosecution, for example, the whole of the costs would be saddled upon the public, although the parties were undoubtedly in a position to bear their own costs.

MR. HUNT said, that he could not on the present clause reply to the remarks of the hon. Member for Pontefract. With regard to the particular cases in which expenses were proposed to be allowed, he detailed several in which the expenses of the prosecution were paid by the public at present, and recommended his right hon. Friend to pick out those other cases which he thought ought to be included in the list and introduce them. He objected to such an allowance for all misdemeanours, and the reservation of cases of a local or personal nature was not sufficiently explicit.

MR. RUSSELL GURNEY said, it was rather for his hon. Friend to point out the cases in which the principle proposed should not apply. It was surely better to leave the matter to the discretion of the Judges, reserving only cases of a local or personal nature, the expenses of which ought to be defrayed out of local or individual funds.

MR. BARROW said, he strongly objected to the clause, being of opinion that it would encourage trivial prosecutions, with the expense of which it would be most unjust to mulct the public. He thought, also, that misdemeanours under the Game Laws ought to be excepted, and that persons who chose to preserve game should themselves bear the costs of proceedings to which they might have recourse.

MR. HURST said, that whenever persons were bound over to prosecute, the magistrates should have power to make them pay costs. He also thought there were cases in which expenses should not be allowed, as, for instance, in proceedings under the Local Government Act.

MR. HENLEY said, they were opening the door to almost unlimited expense. He thought that to bring in all misdemeanours under this clause would be too wide.

Clause, by leave, *withdrawn.*

MR. RUSSELL GURNEY also proposed a clause for giving power to Justices to allow costs to witnesses for the defence.

Clause, by leave, *withdrawn.*

Clauses *added.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Tuesday* next.

EXPENSE OF SELECT COMMITTEES—FIRE PROTECTION.

SELECT COMMITTEE.

Order for nominating Select Committee on Protection from Fire, read.

MR. HUNT said, he thought this was a fitting occasion on which to call the attention of the House to the very heavy expense thrown upon the country in the payment of witnesses summoned to give evidence before Select Committees. Much of that expense was caused by the needless detention in London of witnesses whose examination occupied only a comparatively short time. The control of this matter lay very much with the Chairman of the Committee, and he hoped hon. Members in that position would exert themselves to put a stop to what had become a great abuse. If the Chairman only took the trouble beforehand to ascertain the time which the examination of each witness was likely to last, very large sums might be saved. He would state to the House a few facts disclosed by a Return for which he had moved. Last Session, during the sitting of the Committee on the Edinburgh Annuity Tax, one gentleman from Leith was paid for ten days' attendance, though he was examined on only one day: a witness from Edinburgh, who was examined on three days, was paid for ten; another from Edinburgh was paid for twelve days, but examined only on two. During the sitting of the Mines Committee last Session a gentleman from Barnsley was paid for ten days, but was only four days under examination; a gentleman from Glasgow was paid for eleven days, having been examined on two; a gentleman from Sheffield was paid for eight days, and examined on one day; a gentleman from Wigan was examined on one day, and paid for eight days. If hon. Members looked at the list of witnesses, they would see, as a general rule, that there was not the slightest attempt made to control the expenses in such cases. During the sitting of the Committee on Irish Land Tenure, in the year 1865, a gentleman received the sum of £81 12*s.* for his attendance before the Committee. He was examined on only two days, but he received payment for thirty-two days' attendance. He thought those were monstrous abuses. He found, too, that the periods of the year during which the attendance of the witnesses was greatest were those at which the Derby and Ascot meetings took place, and these gentlemen went about London amusing themselves at the public expense. He hoped this matter would engage the serious attention of the hon. Gentlemen appointed to serve as Chairmen of Select Committees, and that they would do what they could to keep the expenses of witnesses within ordinary compass.

Motion *agreed to.*

Select Committee on Fire Protection *nominated* :—Mr. Beach, Mr. Agar-Ellis, Mr. Gorst, Lord Richard Grosvenor, Mr. Horsfall, Mr. Kinnaird, Mr. Lanyon, Mr. Leeman, Mr. Lusk, Mr. M'Lagan, Mr. Miller, Mr. Read, Mr. Henry B. Sheridan, Mr. Turner, and Mr. Whitmore :—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at two Minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, March 28, 1867.

MINUTES.]—Public Bills—*Second Reading*—Dublin University Professorships (48); Criminal Lunatics * (55); Consolidated Fund * (£7,924,000).

Committee—Recovery of Certain Debts (Scotland) (14).

Report—Recovery of Certain Debts (Scotland) (14 & 66).

Third Reading—Shipping Local Dues * (5).

CLERICAL VESTMENTS BILL.

OBSERVATION.

The Earl of SHAFTESBURY, after presenting petitions in favour of the Bill, said: My Lords, I was not in the House the other evening when the most rev. Primate announced that the Bishops had abandoned their Bill on this subject because Her Majesty's Government contemplated the issue of a Royal Commission to inquire into certain ritualistic practices. I now wish to state that, notwithstanding that announcement, and with all respect for the right rev. Bench, I shall persist in the Bill which I had the honour to lay upon your Lordships' table.

RECOVERY OF CERTAIN DEBTS (SCOTLAND) BILL—(No. 14.)

(*The Lord Chancellor.*)

COMMITTEE.

Order of the Day for going into Committee read.

The LORD CHANCELLOR said, that since he introduced this Bill, his noble and learned Friend (Lord Colonsay), who was thoroughly acquainted with Scotch law, had taken his seat in this House, and had his attention called to the Bill. His noble Friend had made suggestions for the amendment of some of its provisions, which suggestions he (the Lord Chancellor) had adopted. He had also been in communication with the Lord Advocate on the subject of the Bill, and he had recommended other amendments, which he had also acquiesced in. Under these circumstances, he was of opinion that the best course he could pursue was to propose to their Lordships to go into Committee on the Bill *pro formâ*, and to have it re-printed with all the Amendments.

Bill *considered* in Committee, and *reported* without Amendment; Amendments made, and Bill to be *printed* as amended (No. 66).

PRIVATE BILLS—BOARD OF TRADE REPORTS.—QUESTION.

Lord TAUNTON wished to know, How it happened that the Board of Trade had discontinued their Reports upon any Private Bills except Bills on tidal waters and harbours? There was a class of Bills, such as those relating to the Liverpool and Birkenhead Docks, which were quite as important as Bills on tidal waters; and he thought it would be well that the Board of Trade should continue to exercise a general superintendence in reporting upon Bills of this character. Such a change should not have been made without a special Report by the Board of Trade. With all respect to the Chairman of Committees of their Lordships' House, and the Chairman of Ways and Means of the other House of Parliament, he could not help thinking that matters of this importance should be watched over by a responsible Minister of the Crown, and not merely by officers of the two Houses. He wished to know what reasons had induced the Board of Trade to discontinue the Reports—because, though they had no doubt involved a great deal of trouble, this was not a sufficient reason for the alteration.

The Duke of RICHMOND said, the Chairman of Committees in that House was communicated with before the alteration was made, and on the 15th instant the Vice President of the Board of Trade explained the reasons for it to the other House. Mr. Cave stated that the preparation of the Reports involved considerable labour and expense, that they were usually consigned to the waste paper basket, and that in future only Bills affecting tidal harbours and rivers would be reported on. The House of Commons sanctioned the alteration, and Colonel Wilson Patten privately expressed to Mr. Cave his entire concurrence in it. Of late years the Reports had been confined to noticing small matters of detail, in which the ordinary rules and practice of the Legislature were transgressed; but these underwent investigation elsewhere. The Reports on tidal harbour Bills were presented in pursuance of an Act of Parliament, and were therefore under a different category from other Bills, and would therefore be continued. The Board had reported on the Liverpool case at the instance of the noble Lord (Lord Taunton), as Chairman of the Committee, and in any special matter they would undertake to do so.

LORD STANLEY OF ALDERLEY thought their Lordships' consent ought to have been asked to the change; and expressed a hope that the Reports would be continued, since they contained much valuable information; and unusual proposals affecting harbours might otherwise, if unopposed in Committee, escape attention.

LORD REDESDALE said, that he entered into communication with the President of the Board of Trade about a month before the meeting of Parliament on the subject of these Reports, stating that in his opinion the Reports with regard to metropolitan railways, to the grouping of railways, and to tidal harbours, ought to be continued; but that anything more useless than the general Reports could not well be conceived.

LORD TAUNTON admitted that there might be good reasons for abandoning the Reports on Railway Bills; but he hoped that those on schemes which affected the general interests of trade would be continued.

DUBLIN UNIVERSITY PROFESSORSHIPS BILL—(No. 48.)—(*The Earl of Kimberley.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF KIMBERLEY, in moving the second reading of this Bill, said, that its principal object was to repeal a clause in an Act passed by the Irish Parliament before the Union, which required that the professors of anatomy and surgery, chemistry and botany in the University of Dublin should be of the Protestant religion. It had been found inconvenient to limit the choice of that University with regard to these Professorships to persons of the Protestant religion, and he was sure there would be a general concurrence of opinion on the part of their Lordships that the Protestant character of Trinity College would not be endangered by the appointment of Roman Catholic teachers of scientific subjects; and there would probably be no objection on the part of their Lordships to the Bill, which had already received the sanction of the House of Commons. The rest of the Bill was concerned with certain arrangements between the College of Physicians in Dublin and Trinity College, and certain obsolete regulations with respect to the well-known institution, Sir Patrick Dun's Hospital, which it was proposed to amend. The provisions of the Bill had, he believed, the entire consent and concurrence of the Board of Management of Trinity College, of the College of Physicians, and of the Governors of Sir Patrick Dun's Hospital.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

ECCLESIASTICAL TITLES ACT.

ADDRESS FOR A RETURN.

LORD LYVEDEN rose to move an Address for a Return of any Actions brought or Penalties recovered under the 2nd clause of 14 & 15 *Vict.* c. 60, commonly called "The Ecclesiastical Titles Act." He avowed that he believed the answer to such Motion would be *nil,* and that if he were to enlarge his inquiry he should be informed that it would be impossible to bring any action under the measure. He thought it right, however, to call the attention of their Lordships, and through them of the public, who did not appear to be sufficiently aware of the circumstances, to the condition of the Act. In the year 1851 there broke out in this country a sort of moral fever, which sometimes affected the body politic as a cattle plague or cholera would the animal body. It broke out in the shape of a "No Popery" cry, in consequence of a bull issued by the Pope, which roused all the Protestant bigotry against the Roman Catholic bigotry of the country. A Bill was then brought in by his noble Friend (Earl Russell), not now in his place, into which the most objectionable clauses were introduced by the noble and learned Lord on the Woolsack, and it was carried by considerable majorities. He was happy to say that there were some who were not carried away by the cry which was raised at that time. Sir James Graham took a great part in resisting the measure, and he himself (Lord Lyveden) had the satisfaction of thinking that, though a humble follower of the noble Lord who introduced the Bill, he on that occasion voted against him. Well, the Bill had been perfectly inoperative and inefficient, as might have been expected. In the meantime, it had been violently declaimed against. Dr. Manning said that he thought it his plain duty, as a Christian and a gentleman, to violate the statute law of the country every day of his life. He had been told that the Roman Catholic Bishops were not very anxious to see the Act repealed; but with that their Lordships had nothing to do. If the Roman Catholics were agitating about any question, their Lordships would be told that they should not yield to Roman Catholic clamour; if they were perfectly quiescent, then it would be said it was better to leave things undisturbed. Now, it appeared to him that to keep up a useless cause of irritation was always unseemly. Their Lordships would be told that what the Irish Roman Catholics wanted was not to see this Act repealed; but they wished for some alteration in the position of the Church of England in Ireland. He should be willing to act with them on that subject if he saw any possibility of success; but it seemed to him so hopeless an attempt to try to accommodate the Church of England in Ireland to Irish tastes that he must recede from the task. With the views entertained by members of the Church of England here, and also by Dissenters, nothing could be done. They had to consider whether, since they could not relieve the greater grievance, they should not remove the less. In his opinion it would be beneficial to have it known that the reverend Prelates of the Church of England were not unwilling to remove this cause of irritation, which could not be considered as any security to the Church, but had rather the effect of rendering it weaker. He had great hopes in the First Lord of the Treasury for the repeal of this Act; because on the occasion of the Oaths Bill last year being brought forward a second time he very wisely, after an opposition, yielded to the wishes of his Roman Catholic fellow-countrymen, and upon the passage of the Ecclesiastical Titles Act the noble Earl, he found, expressed no approbation of it. In the present state of Ireland it was the duty of their Lordships especially to consider every possible grievance that tended to keep the Catholics in a state of uneasiness and disaffection. The Roman Catholic priesthood had acted in a most exemplary manner during the late insurrection, and anything which deprived them of the position which they ought to enjoy in the eyes of Irishmen ought to be removed. He was quite aware that a Bill on the subject had been brought into the other House, but that was no reason why their Lordships should not entertain the question; and, as no member of the Government had been present to express an opinion on the Bill in the House of Commons, he hoped some of them would do so now. He had always thought the Act in question a most impolitic piece of legislation; it had been totally inoperative, and he would ask their Lordships whether it was well to maintain it upon the statute book? Its removal would be no step towards the destruction of the Church of England; but, on the contrary, would rather strengthen it, by showing that Parliament, whenever it had an opportunity, was willing to conciliate the Roman Catholics, and would not insist upon the continuance of an Act which had been passed in a time of fever and excitement.

Moved, That an humble Address be presented to Her Majesty for, Return of any Actions brought or Penalties recovered under the Second Clause of Cap. 60., 14th and 15th Vict., commonly called "The Ecclesiastical Titles Act."—(*The Lord Lyveden.*)

THE EARL OF DENBIGH, as a humble member of the Roman Catholic body, wished to tender his best thanks to the noble Lord (Lord Lyveden) for the manner in which he had brought this question forward. The noble Lord had said that some of the Roman Catholic prelates were not anxious that this question should be pursued at the present moment; but the reason was that they thought its discussion inopportune, because the public mind was occupied by so many other things of greater importance, and they believed that to raise the question now might irritate some ultra-Protestant minds. But it was no reason why their Lordships should not repeal an objectionable law that the public mind was in a state of quiescence upon the subject. The operation of the Act caused great inconvenience in framing deeds relating to charities. Supposing that in such deeds a Roman Catholic bishop were constituted a trustee, there was a difficulty in indicating him, except by all sorts of circumlocution, otherwise Roman Catholics ran the risk of rendering some of their charities legally inoperative. This was the only inconvenience felt in England; but in Ireland the subject was felt to be one of great importance. It was admitted on all hands that during the late disturbance the Roman Catholic prelates there had shown themselves entitled to the confidence of the Government from their loyalty and their anxiety to maintain the cause of good government and good order; and therefore any means of bringing them into closer relation with the Government would be of advantage. Now, the noble Earl opposite (the Earl of Kimberley) must, during his Viceroyalty, have desired to see at his levées some of the Roman Catholic prelates; but it was impossible for them to go there unless their proper status were recognised, and they were called by the titles by which they were usually known, neither could they fill a position of adequate usefulness while this law was in force. It was surely a small thing to ask that this Ecclesiastical Titles Act should be repealed; and he hoped that his Protestant fellow-countrymen had come to the conclusion that Roman Catholics did not, by the assumption of these titles, make any territorial claims. These titles were taken according to canon law, for the purpose of designating individuals in a regular constituted hierarchy. The Ecclesiastical Titles Act had been utterly inoperative, and he fully believed that the Return now moved for, if it were made, would be nil; but the existence of this statute was irritating and positively inconvenient, as he had shown, to Catholics, while it afforded no commensurate security to the Anglican establishment, and its repeal would be received with gratitude by the Roman Catholics both of England and Ireland.

THE BISHOP OF DOWN AND CONNOR, being the only representative in the House of either the English or Irish Prelates, desired to express his entire concurrence in the views expressed by the noble Lord (Lord Lyveden). While the Ecclesiastical Titles Act was inoperative, it was irritating to a large number of the members of the Roman Catholic Church, and he was quite sure that its repeal would be viewed with satisfaction by all right-minded members of the Protestant communion. Had he had the honour of a seat in their Lordships' House when the Bill was brought forward there he should certainly have recorded his vote against it; and it was a pleasure to him now that the subject was again before their Lordships to express his entire concurrence in the suggestion that it should be repealed.

THE EARL OF DERBY: So far as the Return which has been moved for is concerned, there cannot be the slightest objection to its production. It would involve no considerable expense or delay, for as no proceedings have been instituted under the Act, the Return will be nil. But I hope I shall be forgiven if I decline to enter into a discussion of the policy of the repeal of this Act. If the noble Lord intends to propose the repeal he will no doubt give notice to the noble Earl the author of the Act (Earl Russell), whose absence from the House I notice with great regret. Now, my Lords, what has been said by my noble Friend behind me (the Earl of Denbigh) seems to me to indicate the expediency of proceeding with great caution in this matter; because my noble Friend told us that, except in regard to certain cases of charities, no practical inconvenience has resulted from the operation of the Act in England. Well, so far as any practical inconveniences are or may be complained of by the Roman Catholic prelates, I am quite sure that at all times both this and the other House of Parliament have every desire to remove everything of that kind. But my noble Friend went further, and pointed out one question which I think he will see, upon consideration, is just the question likely to raise again those strong feelings of irritation which first led to the passing of the Act. My noble Friend argued that the Act, though only inconvenient in England, had a very different effect in Ireland. Now, what is the cause of this difference? Because in England the Roman Catholic Bishops have not adopted territorial titles in rivalry with the Bishops of the Church that is recognised by the law; whereas in Ireland the Roman Catholic titles are in a position of antagonism and rivalry to those recognised by law. I remember a fact which shows how our own Church acts in such cases. When a Protestant Bishop was about to be appointed at Malta it was objected that there was already a Roman Catholic Bishop of Malta, and that the appointment of a Protestant prelate might appear to be an invasion of the rights of the Roman Catholic Bishop. The title of Bishop of Malta was therefore dropped, and that of Bishop of Gibraltar substituted. My noble Friend said that in Ireland the Roman Catholic Bishops have only adopted the titles to which they are entitled by the canon law. But I must observe that this just touches the sore point—is the law of the realm, or the canon law to prevail with regard to ecclesiastical titles in Ireland? It may be a matter of insignificance in itself; but it is just the point which, if agitated, is likely to raise all the ill-feeling between the two Churches which, happily, is subsiding day by day, and which, as far as this particular question is concerned, has sunk into absolute indifference. I repeat I will abstain from expressing any opinion as to the expediency of repealing the law, which I admit, and am happy to admit, is practically a dead letter in all respects; but I should very greatly regret that this question, which at present excites no feeling at all, should be made an occasion of bitterness and acrimony which I am most anxious to see disappear altogether between the members of the two Churches.

THE EARL OF KIMBERLEY: My Lords, as I have been appealed to on this question I am unwilling to allow the occasion to pass without saying a few words. In the first place, I think it right to confess that I was one of those who voted for the Ecclesiastical Titles Bill in this House. I was at that time a very young Member of the House, and since then I have regretted, and shall never cease to regret, that vote, for I think the Act was a great mistake. As it is now the law of the land, no doubt, as the noble Earl at the head of the Government says, so grave a subject ought to be approached with great caution. It cannot be treated lightly; because there is no doubt that the policy which dictated the passing of that Act did express the feelings of a large portion of the English people; and, as the noble Earl reminds us, there is a great danger lest in touching such a question you may revive the acrimony which all of us, on whichever side of the House we may sit, wish to see buried for ever. But, unfortunately, besides England, there is another country called Ireland, and in that country the Ecclesiastical Titles Act, which here, I believe, excites no animosity, still creates very considerable heart-burnings, and does, I am quite convinced, stand in the way of some substantial improvement in the relations between the British Government and the Irish people. Owing to the great influence which the Roman Catholic prelates exercise in Ireland, everything which prejudicially affects their dignity and status has a great effect upon the feelings and opinions of the Irish people; and I am sure that, slight as this question of dignity may appear to some of your Lordships, the repeal of this law would give great satisfaction to the hearts of all the members of the Roman Catholic communion in Ireland. As to what fell from the noble Earl upon the question of admitting that Roman Catholic prelates may take the same titles as those held by Protestant prelates, the fact is that they are so designated, and that the law is, in practice, violated day by day. Of course, the Irish Government are careful in addressing them to keep within the strict bounds of the law, and invariably avoid giving these titles to the Roman Catholic prelates. But, in point of fact, they do assume these titles, which are generally given to them by the people, and they are universally recognised in spite of the Act. The reason is that they have been continuously assumed in Ireland; while in this country there were no Roman Catholic Bishops for some time, and consequently when they were appointed they abstained from taking the titles of the existing Protestant Bishops in this country. Having said thus much, I confess I shall see with the greatest pleasure the repeal of this Act; and I do hope that the good sense of English Protestants will lead them to see that in this country the Act furnishes no security whatever for the Protestant religion, and that so far as it operates at all it operates in a direction that is very undesirable. No man values more than I do the principles of Protestantism; but I do not wish to continue on the statute book an Act which is a dead letter, which is irritating to a portion of the subjects of Her Majesty, and which I believe serves no good object whatever.

EARL GREY: My Lords, I freely acknowledge, with the noble Earl who has just spoken (the Earl of Kimberley), that the passing of the Ecclesiastical Titles Bill was a very great mistake. At the time I reluctantly acquiesced in it, because I was assured that it was necessary to do something to soothe the excited feelings of the moment; but I did not assent to the passing of the Bill until I had fully satisfied myself that it could not lead to any practical result whatever, and that it could impose no practical hardship upon those to whom it applied. Even so, I think that it was a mistake to have been a party to that Act; I did not sufficiently consider that, although it would inflict no practical hardship upon Roman Catholics, it was calculated to irritate their feelings. But I must observe that the Act was not quite so objectionable as my noble Friend (Lord Lyveden) supposes; because it made little practical difference in the state of the law as regards Ireland. The Emancipation Act of 1829 had already prohibited any Roman Catholic prelates in the United Kingdom from assuming titles borne by prelates of the Established Church. The appointment of Roman Catholic prelates which had then just been made in England by the Pope, was not illegal under this part of the Act of 1829; because the titles conferred upon them were not those borne by prelates of the Established Church, in which there is no Archbishop of Westminster or Bishop of Birmingham or Hexham. The assumption of these titles by Roman Catholic prelates was not therefore contrary to law until the new Act was passed. But in Ireland the Roman Catholic prelates almost all take the title of sees of the Established Church, which had been already prohibited in 1829, so that little or no practical change was made as regards that country. Granting the Ecclesiastical Titles Act to have been a mistake, and granting that it is generally wrong to allow to remain on the statute book a law that is entirely inoperative, still I am inclined to agree with the noble Earl opposite (the Earl of Derby) in doubting the expediency of raising the question of its repeal now; because we are informed that the prelates of the Roman Catholic Church are not anxious that it should be brought forward. We also know that this is a subject of much delicacy, and it is possible that in dealing with it we might rouse feelings in this country which it would be far better to leave in quiet. My principal reason for expressing the opinion I do is that I am convinced the time must come, and come speedily, when you will have to look into the whole question of the state of the Church in Ireland. I adhere to the opinion I expressed last year that if Parliament does its duty not many years, or even months, ought to elapse before the question is brought forward. This being the case I much doubt whether it would be wise to interfere with the Ecclesiastical Titles Act now, since it would hardly be worth while to raise the feeling which might be aroused by attempting to deal with this subject until there is some real and substantial object to be gained. When you are prepared to consider and deal with the whole question of the Irish Church as it requires to be considered, no fear of popular prejudice that may be excited ought to prevent your doing justice; but, in the meantime, and looking forward to the ultimate settlement of the whole question, I feel that it would be more wise and prudent to allow this matter at present to remain in abeyance.

THE DUKE OF CLEVELAND: My Lords, I am in a somewhat different position from my noble Friend, having been one of the small minority of the House of Commons who voted against the Ecclesiastical Titles Bill. I was of opinion that the passing of that Bill originally was a great error, and I have since been confirmed in that opinion; but while I think we made a mistake then, I agree with the noble Earl that it would be unwise to open the question now when no practical object can be gained by so doing, and that we may well postpone it until such period as we consider the whole question of the position of the Roman Catholic Church in Ireland. Although I think it was an error to pass the Act, and it has been inoperative, still I think it inexpedient to raise questions now which may cause some irritation of feeling.

THE MARQUESS OF CLANRICARDE said, he was one of those who supported the Ecclesiastical Titles Bill when it was brought in, and now he was ready and anxious to support the repeal of it, and he was as sincere in supporting it as he was now in desiring to see it repealed. They had been reminded that the Act was passed in a moment of great excitement. There was indeed at that time a great outcry, which was not entirely groundless; and he certainly thought, until he heard what fell from the noble Earl opposite (the Earl of Derby), that it had been entirely harmless. But while there was some justification for passing the Act originally, it was perfectly reasonable to repeal it now, to let bygones be bygones, and to let Roman Catholic bishops be legally designated by the names of the sees which they essentially governed.

EARL STANHOPE said, he desired to add his name to those of the noble Lords who, in 1851, voted for the Ecclesiastical Titles Bill, and would repeal it now. He had since seen reasons to doubt the propriety of the vote he gave, and to regret that he should have been a party to the passing of an Act which seemed to him to have caused a great deal of irritation on one side without giving corresponding security on the other. For all practical purposes the Act had remained inoperative, and there was nothing he thought more open to objection than the willingness to leave upon the statute book Acts which were a dead letter, and were meant to be a dead letter, without the smallest practical effect. He should therefore be ready at any favourable opportunity, and in accordance with the public judgment, to vote for the repeal of this Act. He would allow that there was some weight in the argument of the noble Earl (the Earl of Derby), that the repeal of the Act would cause some irritation in the minds of those who originally proposed it, if they could be sure other questions would remain in abeyance; but their Lordships should remember that a cognate question had just been raised in the House of Commons, where a Bill had been introduced proposing to modify one of the clauses of the Catholic Emancipation Act, which required that the holder of the Great Seal in Ireland should always be a Protestant, that Government had supported that Bill, and that the Chief Secretary for Ireland (Lord Naas) had voted for the second reading. This was one of the questions that would probably cause some irritation, and if encountered in respect of that question it might as well be met in relation to this Bill. He thought the good sense of Protestants might be appealed to, not to contend for the retention on the statute book of an Act which afforded no valid security to their religion. His argument, then, was that as similar subjects were continually, month after month, being raised in the House of Commons, it might be advisable that in this, as in the other matter, satisfaction should be afforded to our Roman Catholic fellow-subjects.

LORD REDESDALE said, the policy of the repeal of the Ecclesiastical Titles Act required grave consideration. Their Lordships should remember what led to the passing of the Act. It was the appointment of Bishops to sees in England by the Pope; and the Act of Parliament was a protest on the part of the people of England against such an assumption of power of the Pope, and against his right to create territorial ecclesiastical titles in this country. This being so, the repeal of the Act might be taken in some quarters as an admission of the right thus protested against. This was a question that should be gravely considered.

THE LORD CHANCELLOR: My Lords, I rise for the purpose of correcting a misapprehension of the noble Lord (Lord Lyveden) who introduced this subject. The noble Lord attributed to me the authorship of the penal clause of the Ecclesiastical Titles Act. This penal clause existed in the Bill, as originally introduced, and I moved an Amendment, the exact effect of which I do not recollect; but it was designed to render the clause more efficient; but which has remained inefficient like the whole of the Bill. It was directed only against the assumption of titles, and therefore persons might give titles as much as they pleased; but if a prelate did not assume titles no penalty could be imposed. I think the noble Lord ought to enlarge his Motion, and ask for a Return of the cases in which the law has been broken.

EARL GRANVILLE: I am reluctant in this very candid discussion not to take my part and make a candid confession myself. I cannot say I wish to recant. At the time the Ecclesiastical Titles Act was passed I was not in the Cabinet, though I held a subordinate office in the Government. I know at that time I held exactly the same opinion of the Bill I do now; yet I never voted more conscientiously for any measure than I did for that measure. I remember hearing at that time a speech made by Sir Roundell Palmer in the House of Commons, which I thought was conclusive as to the merits of the Bill. But what was the position? I do not know what passed in the Cabinet at the time they were considering it; but it was obvious that, rightly or wrongly, the country wanted the measure. The Pope had erected dioceses in this country, and whether that was right or wrong, I think that it was done in a very injudicious manner. That act of the Pope's led to great excitement and resentment in this country—indeed, I hardly remember a more universal feeling to have existed among all classes of Englishmen than was excited by that measure—and it was very doubtful whether we should not be driven into very intolerant action with regard to our Roman Catholic fellow-subjects. The Ecclesiastical Titles Act did not really trench in any way on the religious liberties of our Roman Catholic fellow-subjects, and many persons were quite delighted to give that kind of sop to the people of this country, in order that they might have time carefully and seriously to consider the real merits of the question. As to the expediency of moving in the matter at the present moment, I quite agree that it ought to be made the subject of careful consideration; but, at all events, the noble Lord must be very much pleased at having raised this discussion, as it has been carried on in a spirit which will show all our fellow-subjects who differ from us in religious belief that we have made a considerable advance in regard to religious toleration.

Lord LYVEDEN, in reply, said, he could not agree with the noble Earl at the head of the Government that no practical grievance was created by the Ecclesiastical Titles Bill; because he thought it no small grievance that ecclesiastics of the highest distinction should be continually obliged to violate the law of their country. For instance, Dr. Moriarty called himself Bishop of Kerry, and all the other Irish Catholic prelates assumed the titles of their sees. With reference to the provision which had been referred to, of the Catholic Emancipation Act, he presumed that the Irish Members thought the Ecclesiastical Titles Act inflicted some grievance on Ireland which did not exist before.

Earl GREY said, he had not stated that the Ecclesiastical Titles Act did not apply to Ireland. It did apply to Ireland; but that was of no consequence, because the Act of 1829 had already prohibited the assumption by Roman Catholic prelates of the title of any see existing in the Established Church. The sees of Roman Catholic prelates did in Ireland take their names from sees in the Established Church, and therefore they came under the provisions of the Act of 1829. In England, however, the Roman Catholic Bishops took their titles from places—such as Westminster, for instance—the names of which were not given to sees in our own Church.

The LORD CHANCELLOR said, he believed he had proposed the Amendment to extend the Bill to Ireland. He was, however, speaking from memory only, and could not be quite certain on this point.

Motion *agreed to.*

TURKEY AND CRETE.—QUESTION.

The Earl of DENBIGH rose for the purpose of inquiring whether Her Majesty's Government had been invited to join with France, Austria, and Russia in a simultaneous note to the Sublime Porte recommending the cession of Candia to Greece. The noble Earl said, he wished to explain briefly his reason for asking the question. In common with many others he had watched with considerable anxiety and no little apprehension, the course of policy pursued of late in the East, and the systematic disintegration—he might almost say spoliation—of the Ottoman Empire upon different pretexts, one being the doing justice to the Christian subjects of the Porte. By the Treaty of Paris it was provided that the Ottoman Empire should be preserved in its integrity, and one of its provisions was that the Hospodar of the Danubian Principalities should be a native. That provision, however, had been violated, when, through the machinations of certain foreign emissaries, the Native Prince was driven from his throne, and there was substituted for him a foreign Prince of that family whose dominions were now of such vast extent as to threaten to disturb the balance of power in Europe. When a treaty could be violated in this way without protest, there was no reason why it should not become waste paper. The next point he wished to refer to was the action of the Protecting Powers with regard to the fortresses in Servia. It was said that the Servians had a continual sore rankling in their minds caused by seeing an infidel flag floating over their fortresses. Now, according to the theory of nationality, it was admitted by our Government that it was a grievous thing for a foreign flag to float over a fortress. We had already given up the Ionian Islands, and on that theory there was no reason why we should not also cede Gibraltar and Malta. There could be no doubt that it was weakening the Ottoman Empire to take away its *point d'appui* in case of any attack from the Servian frontier upon its provinces of Bosnia and the Herzegovine, from which it would have its communications completely severed. And now he came to the question of Candia. It seemed to be now admitted that the insurrection had been chiefly fomented by foreign emissaries, and kept up by filibusters from Greece. Indeed, the noble Earl at the head of Her Majesty's Government, in the discussion the other evening, had said there was no adequate cause for the Candian insurrection. And here he could not refrain from remarking that the tone of some of the despatches of the noble Lord the Secretary for Foreign Affairs might be parodied by some foreign Powers, such, for example, as France and America, if they took Ireland for their theme, in a way very far from palatable to us. Then, he would ask their Lordships to consider who were the parties to this policy in the East. First there was Russia. He did not wish to use unkind expressions towards a country with whom we were, and he hoped would continue to be, on friendly terms; but he believed it to be allowable to direct attention to her political action as it regarded this country, and, if necessary, to point out its immorality. The geographical position of Russia had, no doubt, an important bearing on this question. Russia had only three outlets for her commerce—the Sound, the Dardanelles, and the White Sea. It was of the utmost importance to Russia to have these outlets at all times free to her, and her conduct must have been remarked in reference to the ultimate succession to the Danish Crown, and the marriage of the Czarewitch to a Danish Princess. As to the Dardanelles, it was no secret that Russia had been doing all she could to weaken the Turkish Empire, in order, ultimately, to obtain Constantinople. Russia was not in a position, financially or socially, to go to war; but she had means of attaining her end without drawing the sword, and, indeed, she had gained more by the pen than the sword. She was not very scrupulous in her efforts, but pursued her objects *per fas aut nefas.* Then, too, she had a wonderful instinct in choosing her agents, and persuading them that they were only serving their own interests when they were in reality serving hers. She was indifferent whether they wore the Prussian uniform or the red shirt of the Garibaldians. He was not aware that Russia had any pre-eminent claim to be considered a Christian Power. Certainly if, as the apostle indicates, charity is the basis of Christianity, her conduct to her Polish subjects had not entitled her to it. Her Christianity was but a political engine, and her love for the Christians was something like the love the cuckoo bore the hedge-sparrow, that she might lay her egg in her nest, and in due time eject the original proprietor. The next Power concerned in the matter was Austria; but, beaten down as she had recently been, she scarcely could be called a free agent. She required quiet and time to staunch her wounds and recover what she had lost; but, in the meantime, if the accounts which appeared in the papers were correct, forces were gradually being collected on her frontier. There seemed to be a pressure put on her, in order that she might support the views of Russia, and it was significant that Austria was about to propose the revision of the Treaties of 1856, by which Russia was prevented from rebuilding Sebastopol and maintaining a fleet in the Black Sea. It was not necessary for him to attempt to account for French policy in the question; but it appeared to him that to encourage Russian designs on Turkey would be a policy suicidal to our interests, commercial and political. If Russia got to Constantinople, the balance of power in Europe—which was the only security for the liberty of the States of which it is composed—would immediately be destroyed. This opinion was supported by a much higher authority than his, because M. Thiers, referring to the pre-eminence of Russia, had expressed the views which he (the Earl of Denbigh) had now repeated. It was suicidal commercially to neglect the interests of Turkey; and on reference to the reports of the Board of Trade, showing the value of Turkey to England, he found that the articles of export from Turkey were raw cotton and corn, and by far the most important articles imported into Turkey were manufactured cotton and cotton yarn. In the last thirty years the exports from this country for Turkey had increased 850 per cent, and the imports from Turkey had doubled since 1858. The total of imports to, and exports from, the whole Ottoman Empire, exclusive of the Danubian Principalities, was, in 1858, £13,057,552. In 1864 it had risen to £35,208,017, having nearly tripled in eight years. Mr. Farley, an authority on the subject, stated in his book that the debt of Turkey was only equal to three years of her revenue, and that the whole of it might be cleared off in thirty-seven years by a sinking fund. There were not many countries of which so favourable a financial account could be given. He had heard with much pain the noble Earl at the head of the Government say on a recent occasion that, while it was no part of our duty to accelerate the fall of Turkey, yet, if her destruction was inevitable, it was our duty to assist in making it as gradual as possible. Now, he did not think we should be looking forward to the ruin of Turkey, nor could he see what cause we had for such an anticipation. There was a limit to what was called non-intervention. If we enjoyed the advantages of being a first-rate Power, we must take the responsibilities of that position; and if we had valuable allies, we ought to be prepared to support them. With nations, as with individuals, *noblesse oblige;* and we should not shrink from maintaining that support, even though it should cost us active intervention.

THE EARL OF DERBY: My Lords, from the Notice placed on the paper by the noble Earl (the Earl of Denbigh) I hardly thought it was his intention to enter into the question of the commercial importance of Turkey to this country, to comment on the intentions, or supposed intentions, of all the Powers of Europe, and to go into a general discussion of what is generally known as the Eastern Question, or into a general discussion of the affairs of Europe such as the noble Earl has introduced to your Lordships. I came down prepared to answer what I thought was the very simple question about to be put by my noble Friend; but not, certainly, to go into the Eastern Question. I shall not therefore follow the noble Earl through all the topics which he has brought under your Lordships' notice. In all the language I have ever held with regard to Turkey, I have always considered that it was a country with which we were on the most friendly relations, and to which it was desirable we should give every support in our power. On the occasion referred to by my noble Friend, what I said was, that it was no part of our duty to accelerate the ruin of Turkey; but that if her ruin was inevitable, it was our duty to use means to prevent the disruption from being sudden and violent, and to make it as gradual and as little felt as possible. Now, I cannot agree with the noble Earl that the course at present taken by foreign nations tends towards the disintegration of the Turkish Empire—generally it tends, I believe, to the maintenance and security of Turkey. And though I think the appointment of a foreign Prince to govern the Moldavian-Wallachian Provinces was contrary to the arrangement previously made by the European Powers, yet we did not consent to the departure from that arrangement until it had obtained the sanction of the Turkish Government. They sanctioned the proposed appointment because it was represented to them, and they believed, that it would be a source of strength instead of weakness to Turkey to have those Provinces united as *quasi*-independent Principalities, acknowledging the suzerainty of the Ottoman Porte. The same thing applies still more strongly to Servia. My noble Friend has spoken of a foreign flag floating over the fortress of Belgrade. He has taken an unlucky point with regard to that. It was not the Turkish flag floating over it that was considered an insult to Servia, but it was the Turkish garrison holding the fortress of Servia. That fortress, as was proved in former wars, could be of no possible use for the defence of Turkey against foreign Powers, but was a mark of subjection and constant source of irritation to Servia. The Servians desired that the garrison should be withdrawn, or the fortress itself should be demolished. That fortress is connected with all the most glorious recollections of Turkish history; but now, so far from being of any use to them, it is a constant source of expense, annoyance, and illwill to Servia. It is suggested that the fortress is now to be abandoned from compulsion or dictation. So far from that, my noble Relative at the head of the Foreign Office has sedulously and absolutely repudiated any such interference on the part of the British Government; but he has not hesitated to intimate his own opinion—and very truly and very wisely as I think—that the interests of Turkey lay in making a friend rather than an opponent of Servia, and I am happy to add that an arrangement in this spirit has been entered into; while Turkey still holds the fortress of which she is justly proud, the Turkish garrisons will be withdrawn, to be replaced by a Servian garrison, thereby removing occasion for illwill and earning the honourable and cordial sympathy and goodwill of the Servian Provinces. The Prince of Servia has proceeded to Constantinople to settle the terms on which Servia is in future to maintain its relations with Turkey; and the only condition made as to the fortress is that the flag of the Sovereign Power shall float upon the fortress in common with the Servian flag. By this means additional contentment, additional security, and additional strength have, I believe, been added to the Turkish Empire. My noble Friend then proceeded to deal with the case of Crete, detailing the views of Austria, Russia, and France, with which I do not pretend to be acquainted. He says, "I can understand the policy of those three Powers; but that England should consent to the disintegration of the Turkish Empire and the annexation of Crete to Greece is a matter that I cannot understand."

The Earl of DENBIGH: I merely asked the question. I did not venture to suppose that England had yet consented.

The Earl of DERBY: Then if my noble Friend asks me whether, seeing what has been done by the Porte for Moldavia and Servia, the Porte will not extend the same advantages to Crete, all I can say is that if a foreign Prince were appointed there under the same circumstances as those to which I have alluded, whatever Her Majesty's Government might think of the wisdom or otherwise of that step, it would not feel called upon to raise any serious obstacle in the way of such an arrangement. The matter concerns Turkey herself; but I am not sure, except for the great difficulty of dealing with a mixed population of Mussulmans and Christians, that autonomy conceded to the Crete subjects might not be a source of weakness rather than of strength. My noble Friend, after talking of the disintegration of the Turkish Empire, and after giving us the views of Europe, says it is suicidal to the commercial relations of England with Turkey; but that appears to me something like an assumption on the part of the noble Earl that England has adopted some policy at the suggestion of Foreign Powers. My noble Friend asked me, have Austria, Russia, and France addressed any invitation to this country to join them in a simultaneous, as he calls it, or, as it is more commonly called, an identic note, calling on Turkey to annex Crete to the Kingdom of Greece? My answer simply is that no such proposition has been made to Her Majesty's Government—that we have never been invited to join in any identic note, nor have any propositions of the kind supposed by my noble Friend been made to Turkey on behalf of this country. This is what has taken place:—The French Ambassador in this country called on my noble Relative at the head of the Foreign Office, and stated that the French Government either had or were about to instruct their Ambassador at Constantinople to advise Turkey to cease from the struggle in Crete, and consent to the annexation of Crete to Greece, and he asked whether Her Majesty's Government were prepared to issue similar instructions. My noble Relative expressed great regret, because Her Majesty's Government did not feel themselves justified in issuing similar instructions to their Ambassador at Constantinople; but he added that if the Turkish Government thought fit voluntarily to surrender the island of Crete to Greece, Her Majesty's Government, whatever they might think of such a transaction, would not feel it their duty to throw difficulties in the way. Since my noble Friend gave notice of his Question a similar proposition has been made, not by despatch, but in conversation, on behalf of Russia; to this my noble Relative gave the same answer which had been already given to the Ambassador of France; and so the matter stands at present. I know not what course has been taken by the Austrian Government; but if Russia and France either have advised or intend to advise Turkey, by a voluntary act of its own, to permit the annexation of Crete to Greece, Her Majesty's Government decline to be any party to offering such advice. In the first place, my belief is that the advice, if given and not supported, as I trust it will not be supported, by any stronger measures, is not likely to be taken. And I must confess that I entertain very grave doubt whether, if it was taken, the proposed transfer from the Turkish Government to the Greek dominion would be favourable either to the prosperity or contentment of the Cretan population. The policy of this country has ever been, while giving to Turkey any advice which it may think beneficial or advantageous for that country itself, to refrain from pursuing any policy or advising any act inconsistent with the independent jurisdiction of Turkey over its own provinces. I certainly shall not join in pressing upon her any policy contrary to that which she, herself, would be disposed to adopt in reference to matters as to which we acknowledge her own sovereign rights to deal with as she thinks proper.

THE EARL OF DENBIGH expressed his entire satisfaction with the course pursued by Her Majesty's Government, and, after what had fallen from the noble Earl, would not propose the Motion of which he had given notice.

House adjourned at Seven o'clock,
till to-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 28, 1867.

MINUTES.]—PUBLIC BILLS—*Resolution in Committee*—Canada Railway Loan.
Second Reading—Bridges (Ireland) [86].
Committee—Mutiny [R.P.]
Considered as amended—Religious, &c., Buildings (Sites) [64].
Third Reading—Lyon King of Arms (Scotland)* [44], and *passed.*

TOTNES ELECTION COMMISSION REPORT.—QUESTION.

MR. MORRISON said, he would beg to ask the Secretary of State for the Home Department, If his attention has been directed to the following passages in the Report of the Totnes Election Commission:—

"1. While we were sitting John Heath, who had been the principal briber on the Conservative side since 1857, who, when examined as a witness before us, gave evidence the falsehood of which he afterwards admitted, who was accused by two witnesses of subornation of perjury, and who was under the imputation of being, with others, unable to account for the distribution over £1,200, was not only re-elected a member of the town council, but was, during the next week, offered the mayoralty of the town. 2. We find that a sum of over £3,700 passed into the hands of persons engaged in directly bribing voters, and that £2,450 has been accounted for as thus distributed, while of the remainder no account has been given to us. The persons who ought to give such account are Mr. Edmonds, Mr. J. Heath, and their inferior agents. It was alleged before us by John Heath, and considerable time was taken up in searching into the truth of the allegation, that this money had been in truth placed in the hands of an unknown stranger, and that he must account for the deficiency, but after considering all the evidence taken before us, the contradictory statements made, and the falsehoods told by John Heath and other of the witnesses, who swore to the existence of such a stranger, and the final avowal of two of these witnesses that they had invented the story of being paid by a stranger at John Heath's instigation, we much doubt whether there was any such person as the stranger at all, or if there were, whether had he been called he could have accounted for all the deficient money. 3. We think it right to report to Your Majesty that the following witnesses made statements on oath before us, the falsehood of which was afterwards either acknowledged by themselves or made plain to us in the course of the subsequent inquiry:—John Heath, senior, George Griffis, Thomas Blank, Henry Crawford, Richard Norrish, Thomas Gillham, William Satchwell, Robert Harris, Jubal Bartlett, Nicholas Manning, John S. Screach, junior, and Frederick Evens. Thomas Jacob Searle confessed himself guilty of subornation of perjury in trying to prevent witnesses from telling the truth before us; and John Heath, senior, was accused by two witnesses, and Samuel Parnell was also accused, of the same offence;"

and, if it is the intention of the Government to take any criminal proceedings against the said John Heath, senior, or others, for perjury or subornation of perjury?

MR. WALPOLE replied that the Law Officers of the Crown had been directed by the Home Office to inquire into the cases mentioned by the hon. Gentleman, with a view to ascertain what proceedings should be taken with respect to them.

METROPOLITAN POOR LAW RATING.

QUESTION.

MR. ALDERMAN LAWRENCE said, he wished to ask the President of the Poor Law Board, If his attention has been directed to a recent Return made by the Poor Law Board, purporting to show the rate in the pound of the Expenditure for the Relief of the Poor in each of the thirty-nine Unions and Parishes within the Metropolitan District during each of the ten years from 1857 to 1866 inclusive; and, if so, whether he is aware that the said Return is for the most part incorrect, in consequence of the ten columns of figures showing the rate in the pound of each Union and Parish during each of the ten years having been all calculated upon the rateable value of the year 1866, instead of upon the various rateable values of each of the ten years from 1857 to 1866, so that only one of the ten columns of figures is correct; whether he is aware that all the results that may be drawn from the said Return of the rate in the pound are exactly contrary to the actual facts; and, whether he will direct a corrected Return to be made forthwith?

MR. GATHORNE HARDY said, in reply, that the Return in question had been made out in strict conformity with the Motion of the hon. Gentleman who had asked for its production. That Motion was for a Return of the rateable value of each union and parish in the metropolis according to the latest valuation; and that was, of course, the information which had been furnished. But if the hon. Alderman desired to learn the rateable value of the different unions and parishes during each of the preceding nine years, he (Mr. Gathorne Hardy) should have no objection to such a Motion beyond that which applied to the production of any Returns which would involve great expense and trouble.

Mr. Alderman **LAWRENCE** said, he would therefore give notice that he should move for an amended Return.

ARMY TRANSPORT COMMITTEE.

QUESTION.

Captain **VIVIAN** said, he would beg to ask the Secretary of State for War, Whether he will lay upon the table of the House the Report of the Committee on Transport for the Army which sat last year, and of which Lord Strathnairn was President?

Sir **JOHN PAKINGTON**, in reply, said, he could not then give a decided answer to the Question of the hon. and gallant Member. He believed that Report was drawn up, but it had not yet been signed by the President of the Committee, and he (Sir John Pakington) had not therefore yet seen it. After he should have had an opportunity of examining it he should be prepared to state whether he thought it desirable that it should be published.

IRELAND—MILITIA.—QUESTION.

Colonel **FRENCH** said, he would beg to ask the Secretary of State for War, Whether he intends to call out the Irish Militia for training this year?

Sir **JOHN PAKINGTON**, in reply, said, he was sorry that he could not give the hon. and gallant Gentleman a decided answer to his Question. In the Estimates a sum was taken for the Irish militia; but the period of the year at which they assembled for training was generally later than that at which the English militia were called out for the purpose, and no time had yet been fixed for calling them out this year.

EMPLOYMENT OF VOLUNTEERS IN CIVIL DISTURBANCES.

THE INSTRUCTIONS.—QUESTION.

Mr. **W. E. FORSTER** said, he would beg to ask the Secretary of State for the Home Department, Whether instructions have yet been issued to the Civil Authorities and to the Commanding Officers of the Volunteers respecting the employment of Volunteers in the suppression of disturbances; and whether he will undertake to lay such instructions upon the table of the House before the Vote be taken for the Volunteer Service?

Mr. **WALPOLE** replied, that instructions had been drawn up on the subject by the War Department. Those instructions had been sent to the Law Officers of the Crown, to be put into the shape of regulations, which, when they were approved by those Officers, would be transmitted by the War Office to the lords-lieutenant of the different counties, and by the Home Department to the various civil authorities throughout the Kingdom. When that was done—and he hoped it would be done at no distant day—he should take care that the regulations were laid on the table of the House.

Mr. **BRIGHT** said, he would beg to ask the right hon. Gentleman, whether it would not be better that they should be laid on the table before they were sent to the lords-lieutenant of counties and the civil authorities, in order that any hon. Member might, if he thought fit, bring them under the consideration of the House before they were finally determined on. Otherwise, the authorities at the Horse Guards might say it was too late to interfere in the matter, as they had repeatedly done in other instances?

Mr. **WALPOLE** said, he thought it was the usual and the preferable course that the framing of the instructions should be left to the Executive Government, on whom the responsibility which they might involve must naturally rest. They could afterwards be laid upon the table of the House, and that would be the proper time for hon. Members taking any notice of them they might think desirable.

Mr. **W. E. FORSTER** said, he wished to know, whether the right hon. Gentleman will undertake that those instructions should be produced before the Vote for the Volunteer Service is submitted to the House?

Mr. **WALPOLE** said, he had no doubt that that would be done. The instructions would, he believed, be laid upon the table before the Easter recess.

NEW LAW COURTS.—QUESTION.

Mr. **LANYON** said, he would beg to ask the Secretary to the Treasury, Whether it is the intention of the Commissioners of the new Law Courts to accede to the request of the competing architects to the effect that two professional men, selected by the competitors, be added to the judges?

MR. HUNT said, in reply, that a request of that description had been addressed to the Lord Chancellor, who had asked the opinion of the Government upon the subject; and they considered that it was at present too late to alter the arrangement which had been previously adopted.

CEYLON.—BARRACKS AT POINT DE GALLE.—QUESTION.

MR. OLIPHANT said, he would beg to ask the Secretary of State for War, Whether it is the intention of Her Majesty's Government to build fresh barracks for European Troops at Point de Galle?

SIR JOHN PAKINGTON replied, that in consequence of the recent transfer of the Straits Settlements, it was considered necessary that a wing of a European regiment should be settled at that station, and it was intended that barracks should be built for their accommodation. But there was at present a question pending between the colony and the Colonial Office with regard to the proportions in which they should respectively contribute to the expenditure which would thus have to be incurred.

MUTINY ACT—FLOGGING.—QUESTION.

MAJOR JERVIS said, he would beg to ask the Secretary of State for War, Whether, having in view the proposed alteration of Clause 24 of the Mutiny Act, it is proposed to give the Military Authorities power to discharge men guilty of felony, or of disgraceful conduct which has rendered them liable to flogging, on the completion of their sentence?

SIR JOHN PAKINGTON, in reply, said, it was not his intention to propose that any additional powers should be given in the direction referred to by the hon. and gallant Gentleman, because he did not think such powers were necessary. Under the 22nd Article of War it was now competent for Commanders-in-Chiefs, Courts Martial, and Generals commanding in the colonies to dismiss from Her Majesty's service such men as those to whom the hon. and gallant Gentleman referred.

REPRESENTATION OF THE PEOPLE BILL—SPECIAL FRANCHISES.

QUESTION.

MR. THOMAS CAVE said, he would beg to ask Mr. Chancellor of the Exchequer, If he will be willing to introduce into the Bill for the amendment of the Representation of the People a provision giving the Franchise to male persons having had for two full years prior to July in each year, a sum not less than £50 deposited at interest in any duly constituted Freehold Land or Building Society?

THE CHANCELLOR OF THE EXCHEQUER: I think, Sir, the Question of the hon. Gentleman is based on a misapprehension of the circumstances on which the special franchises in the Reform Bill are founded. The franchises which are founded on the possession of a certain sum in the public funds, for example, or in the savings banks, and on direct taxation are founded on circumstances which are as it were in the eye of the Government, and over which they have control. That character does not apply to the franchise to which the hon. Gentleman refers, which is one that I cannot for a moment countenance.

CORRUPT PRACTICES AT ELECTIONS. REMOVAL OF MAGISTRATES.

QUESTION.

SIR LAWRENCE PALK said, he would beg to ask the Secretary of State for the Home Department, If the Postmaster General will remove Samuel Parnell, Postmaster, Totnes, convicted of bribery and corrupt practices at the Elections of Totnes in the years 1857, 1859, 1862, 1863, and 1865; and, if the Lord Chancellor will remove from the Commission of the Peace for that borough Charles Webber, Esq., and Webber Chaster, Esq., declared guilty by the Commission of corrupt practices and bribery?

MR. WALPOLE, in reply to the first Question, said, he believed the Postmaster General was in communication with the Treasury, with which Department the person mentioned was connected, and that the cases were under the consideration of that Department. In answer to the second Question, he might state that the Lord Chancellor was engaged in considering all those cases which came within the scope of the Address of this House, which had recently been presented to Her Majesty on the subject of corrupt practices at elections. When the noble and learned Lord had fully considered all those cases the result of his deliberation would be communicated to the House.

Sir LAWRENCE PALK said he should give notice that he would, on a future day, call the attention of the House to the Report of the Commission of Inquiry respecting corrupt practices at Totnes, and to the conduct of the Duke of Somerset and his agents.

THE OWNERS OF THE "CYCLONE." QUESTION.

Mr. GREGORY said, he would beg to ask the Secretary of State for Foreign Affairs If it is the intention of Her Majesty's Government to bring to justice the owners of the *Cyclone* for their violation of the Foreign Enlistment Act?

Lord STANLEY, in reply, said, he had been in communication with the Law Officers of the Crown on the subject, and he was informed that the facts at present within their knowledge did not afford sufficient evidence to justify the taking proceedings against the owners.

CATTLE DISEASE.—QUESTION.

Mr. H. E. SURTEES said, he wished to ask the Vice President of the Council, Whether it is true that a disease has recently appeared amongst Cattle in Cornwall; and, if so, if he will inform the House what is the nature of the disease?

Lord ROBERT MONTAGU replied, that a disease did break out among cattle in Cornwall, and Professor Simonds was sent down to the spot. That gentleman stated that on his arrival there he found that the disease first appeared on the 8th instant, and between that time and the 13th instant eighteen cattle were attacked in a herd of forty-six. In the course of nine days twelve of the cattle died. The Professor caused a post-mortem examination to be made, and after noting its result he continued—

> "The disease has been entirely confined to this herd, and no fresh cases have occurred since my visit. The cessation of the malady, and its limitation to eighteen out of forty-six animals, are sufficient evidence that it is not of an infectious nature. A microscopic examination of some parts has been made by Professor Browne, and did not lead to the detection of the presence of parasitic bodies, either vegetable or animal."

CHOLERA CONGRESS AT CONSTANTINOPLE.—QUESTION.

Sir JERVOISE JERVOISE said, he would beg to ask the Secretary of State for Foreign Affairs, At what time the labours of the Cholera Congress at Constantinople were concluded; and (as the Report has not been received), whether any Paper in the form of a Report from any of the Commissioners has been received, and whether it will be distributed?

Lord STANLEY said, in reply, that the Cholera Congress at Constantinople closed its sittings in the month of October last. The Report of the Congress had not yet reached the Foreign Office. They had only received through the British Commissioner a kind of abstract of the work which had been performed. He did not know why the full Report had not yet arrived, and if it should be much longer delayed he would write for it; but he thought it would be better to wait for the entire document rather than to publish an abstract which might not give an accurate or complete idea of its contents.

ARMY—THE HOUSEHOLD CAVALRY REGIMENTS.—QUESTION.

Mr. OWEN STANLEY said, he would beg to ask the Secretary of State for War, Under what peculiar Law or privilege commanding officers of the Life Guards and Royal Regiment of Horse Guards discharge men from the regiment without the previous consent and authority of the Commander-in-Chief, in accordance with the General Instructions for the Army contained in the Queen's Regulations?

Sir JOHN PAKINGTON, in reply, said, the answer he had to give to the question of the hon. Gentleman would, he thought, be satisfactory. There was no doubt as to the existence of the power referred to. For a long period of time all colonels of regiments, in consideration of bearing the expense of recruiting, had the power to dismiss soldiers. This power was put an end to in 1784, by an Act passed on the Motion of Mr. Burke, but a special exception was made as respects the Household troops. Consequently, the power to dismiss still remained to the colonels of the Household troops. So lately as 1865 an action was brought against Colonel Marshall, who now commanded the Second Life Guards, on account of dismissing a soldier without cause. The case was tried in the Court of Common Pleas, and the defence was allowed to be perfectly good.

DISTURBANCES IN IRELAND. TRIAL OF FENIAN PRISONERS.

QUESTION.

Mr. W. E. FORSTER said, he wished to ask the Chief Secretary for Ireland, Whether there is any truth in the rumour that it is the intention of the Government to prosecute any of the Fenian Prisoners under any of the Whiteboy Acts, by the provisions of which flogging may be inflicted?

The O'DONOGHUE said, that before the Chief Secretary for Ireland answered the Question, he wished to ask, whether the noble Lord would lay upon the table of the House a Copy of the Circular recently addressed to the Irish Magistrates, in which a very pointed reference was made to that power of inflicting corporal punishment under the provisions of the Whiteboy Act?

Lord NAAS: There will be no objection, Sir, to lay that Circular upon the table of the House. It was issued in consequence of the Government having received information that offences were being perpetrated in different parts of Ireland which for many years had happily ceased—namely, the offence of unlawfully assembling and going through the country in considerable numbers, for the purpose of demanding arms at the houses of the peaceable inhabitants. The Circular merely called the attention of the magistrates, and of the public generally, to the existing state of the law; and I am happy to be able to inform the hon. Gentleman that I believe the issuing of that document was attended with the most salutary results. With regard to the Question of the hon. Member for Bradford (Mr. W. E. Forster), I have to state that it is quite impossible for me to say under what particular statute or statutes the Fenian prisoners are likely to be indicted. That is a question which must be left to the Law Officers of the Crown, and their decision will depend on the nature of the evidence and depositions which may be laid before them. But I must remind the hon. Gentleman that sentence in these cases must entirely rest with the presiding Judges, and that it is a matter with which the Executive Government has not in any way to deal. I will only add, that looking at the ability, the experience, and the high character of the Judges selected to preside at the Special Commission, I think the House may feel perfectly satisfied that the sentences which they may pronounce will be sufficient, and not more than sufficient to meet the justice of each case.

THE PREROGATIVE OF MERCY.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for the Home Department, Whether he wishes it to be understood that, in all cases which have fallen under his consideration since he has been in office, he has adopted, and intends in future to adopt, the recommendations of the Royal Commissioners on Capital Punishment as a test and guide for the exercise of the Royal Prerogative of Mercy, before any legislation by Parliament has taken place on the subject?

Mr. WALPOLE: Sir, I think it right, before answering the Question of the hon. Member, to state specifically what were the recommendations of the Royal Commissioners, which I have endeavoured humbly and faithfully to act upon. Those recommendations were three—

> "1. That the punishment of death be retained for all murders deliberately committed with express malice aforethought, such malice to be found as a fact by the jury; 2. That the punishment of death be also retained for all murders committed in or with a view to the perpetration, or escape after the perpetration, or attempt at perpetration of any of the following felonies—murder, arson, rape, burglary, robbery, or piracy. 3. That in all other cases of murder the punishment be penal servitude for life, or for any period not less than seven years, at the discretion of the Court."

Those three recommendations were unanimously adopted by the Commissioners. I have never heard them found fault with because they restricted the punishment too much, but questions have been raised whether they might not have restricted it somewhat more. When I succeeded to the office I now hold I felt it my duty to act upon the unanimous recommendations of the Commissioners as far as I could, and I propose to do so in future. Might I take the liberty of adding one word? There is no duty which the Secretary of State has to perform so painful as that of advising Her Majesty with reference to the exercise of the Prerogative of Mercy. In the discharge of that duty no one who holds the office can ever have or ever has had any other motive than honestly and faithfully to execute the law in the manner in which he believes that it was intended by the Legislature to be administered. But difficult as that duty is, its difficulty will be ten times — aye, a hundred times—increased if those who wish to question the conduct of the Secretary of State in advising upon cases of this description make attacks upon him without information, and before explanations are given, without even the common courtesy of applying for such information. I can assure hon. Gentlemen, whoever they may be, who question my conduct that information would be freely and willingly afforded to them, and after it has been given, and they still see reason to find fault with me, then, but not till then, comes their opportunity to do so.

THE CATTLE PLAGUE.
CATTLE MARKET AT GLOUCESTER.
QUESTION.

Mr. MONK said, he wished to ask the Vice President of the Committee of Council on Education, Whether the time has not arrived when the Cattle Market at Gloucester may be re-opened, regard being had to the fact that the port of Gloucester is an inland port, at which no foreign cattle have been imported during the last twenty years, and to the offer of the Mayor and Corporation of Gloucester to set apart land and sheds for the detention and slaughter of all foreign or sea-borne cattle which may arrive at that Port?

Lord ROBERT MONTAGU stated, in reply, that under the general provisions of treaties with foreign Powers, cattle, as well as other goods, cannot be prohibited from landing. In order, therefore, to prevent foreign cattle from mixing with British cattle, it was necessary to stop the markets at all ports. The Law Officers had it under consideration whether, under the exceptional circumstances of cattle plague and for the well-being of the country, the Privy Council might issue an order to prohibit importation, and therefore to open the markets at particular ports. In the case of Gloucester, however, another case arose—namely, whether such an Order of Council would override the local Act which gives free navigation along the canal to Gloucester. This case had only just been submitted to the Law Officers, and therefore he could not yet give a decided answer to the Question of the hon. Member.

Mr. Darby Griffith

NAVY—GREENWICH HOSPITAL ACCOUNTS.—QUESTION.

Mr. SEELY said, he would beg to ask the First Lord of the Admiralty, When an account of the yearly income and expenditure of Greenwich Hospital will be laid upon the table of the House, in accordance with the forty-ninth section of the Act 28 and 29 *Vict.* c. 89.

Mr. CORRY replied that objections were entertained by the Admiralty to the form of audit provided by the clause referred to; it was therefore intended to introduce a short Bill to alter the form of audit, when the accounts would be audited and laid on the table.

CANADA RAILWAY LOAN.—COMMITTEE.

Paper relating to Canada Railway Loan [presented 26th March] *referred.*

Matter *considered* in Committee.

(In the Committee.)

Mr. ADDERLEY said, that in moving the Resolution of which he had given Notice, not one word would fall from him approving in the abstract of guarantees of colonial loans. He had always thought, and whenever the subject was under consideration, as it had been too often, he had expressed his decided opinion that they were a feature of the worst possible relations between this country and the colonies, bad enough for this country, but still worse for the interests of the colonies. He sincerely hoped that this colonial guarantee would be the last proposed to Parliament, or if proposed, the last that Parliament would be disposed to grant. This particular guarantee was an exceptional case, which, under the circumstances, it was absolutely necessary for the Government to propose. It was expedient, most expedient and advantageous both to this country and to the colonies, and on the other hand it might be granted by Parliament without the slightest risk. He had stated, in moving the Confederation Bill, that Parliament would come to the consideration of this proposal perfectly unfettered and unpledged. He now asked them to consider it freely, and if he did not make out that it was absolutely necessary as well as most expedient the Committee would be perfectly free to reject it. He thought he should best show the Committee the necessity of the proposal by giving a history of the subject. So far back as

1838, this country had to send troops to Canada in the depth of winter to resist the invasion of the sympathizers, as they were called, who had no doubt the intention and were equipped with the means for the conquest of that country. We had to embark troops at Halifax and send them across the country to Quebec, in the depth of winter, with the greatest difficulty and hazard, and at enormous cost. It was then forced on the attention of everybody that merely in a military point of view, to say nothing of commercial interests, it was necessary that railway communication should be opened between Halifax and Quebec. They had had, as the Committee knew, even more recent proof of this necessity only a short time ago. This was so evident that we proceeded at once to survey the country of New Brunswick lying between Nova Scotia and Canada. Major Robinson was sent out, and made a complete survey of various lines of railway that might be constructed between Halifax and Quebec. That able surveyor, who spent three years upon it, presented an elaborate Report to the House, and any Gentleman who was not acquainted with it had the opportunity of consulting it in the Library. He trusted that no one who had not availed himself of that opportunity would oppose the Bill. The survey ended in a preference announced by Major Robinson, on grounds principally military, for what was called the Eastern line, which was the longest. At that time Lord Grey was Colonial Secretary, and he did not hesitate, in the interests of this country, to offer to the colony a guarantee for the railway on two grounds—first, that it was essential to Imperial interests, and therefore that England ought to share the expense ; and secondly, that the colony, even if called on, could not without the assistance of the guarantee and credit of this country, raise the requisite sum without a most unnecessary drag on its revenues. The offer then made by Lord Grey was first made on the part of the Imperial Government. He believed the intention of Lord Grey was that this country should not only guarantee the line but undertake the work itself. We had now different views of our relations to the colonies ; and the colonies had taken a much more spirited view of their own responsibilities. The proposal since made was that whatever sum of money the British North-American Provinces should raise for that purpose the Imperial Government would guarantee the interest on the loan. He would not weary the Committee by referring in detail to the correspondence with every Colonial Minister—Sir John Pakington, Mr. Labouchere, and the Duke of Newcastle. It was sufficient to say that in 1862 the Duke of Newcastle, while rejecting a proposal of the colonies, made a proposal which was very much that which he now recommended. It was that the Imperial Treasury should guarantee the interest at the rate of 4 per cent on the loan to be raised by the Government of the North-American Provinces for the construction of a railway. Nothing had passed since then except the very material circumstance of the late Government having considered the proposal on the subject made by the delegates of the provinces assembled in Quebec, and drawn up a Treasury memorandum, which formed the basis of the measure to be brought in. In 1864 the late Secretary for the Colonies expressed some regret at the delay which had taken place in proceeding with the scheme, for though New Brunswick and Nova Scotia both passed Acts on the basis of the memorandum, Canada had not ; but, ultimately, their delegates adopted the proposal of the Imperial Government. An agreement was then drawn up between the Duke of Newcastle, the then Colonial Secretary, and the colonial delegates, which was to subsist for five years, and which expired next December, and it was upon that agreement that the present Bill was based, although several alterations in favour of this country had been introduced into the present Bill. The scheme had now become part of the proposed Confederation of the North-American Provinces. The two schemes of the Confederation and of the construction of the railway were bound up together. It was now clear that the one could not stand without the other, and every argument that had been cordially accepted by the House of Commons in favour of the union between the provinces applied with equal force to the guarantee of a loan for the construction of the line. It was impossible that the question of the construction of the line could be separated from that of the guarantee, inasmuch as the colony could scarcely raise £3,000,000, the amount required for the construction of the line, at less than 6 per cent on their own security, whereas with the guarantee of this country they could borrow that sum at 4 per cent. At present colonial stock was at par at 6 per cent, and to throw £3,000,000 of fresh stock on the market would be productive of great embarrassment. The construction of this line was the key to the success of the Confederation, and was essential to it in a commercial and a defensive point of view. Without this line for six months in the year, the inland portion of the Confederation would be entirely cut off from communication with the sea; and this country could not use it for the passage of troops, while the long line of frontier would be in an absolutely defenceless condition. The only way of making the new Confederation independent of the United States was to construct this important railway, which would enable Canada to develop itself, and rely entirely upon her own resources. Whatever risk the Imperial Government might run in guaranteeing this loan, it would run a still greater risk in refusing its assent to the only proposal that would enable the colony to maintain itself. If this guarantee were refused, the North-American States would remain in their old condition, in which they could hardly fail to invite aggression which they would be unable to repel. On the other hand, the guarantee might be given without running the slightest risk. The proposal now offered in the Bill was far more favourable to this country than that contained in the agreement which was assented to by the late Government, who had to deal with the question under much less favourable circumstances than at present existed. The late Government had to deal with three separate colonies, and to apportion the charges among three distinct revenues, whereas the present Government had to deal with one Confederated body politic, and with one revenue. It was possible, under the old conditions, that one of the colonies might have become exhausted before the scheme was completed, whereas now the scheme formed part and parcel of the united policy and enterprize of Confederation. The colonists were more deeply interested in it than they could have been under distinct Governments. Canada no longer looked to Portland for her outlet. Another alteration in the engagement favourable to this country was that instead of—as proposed by the late Government—the sinking fund being based on decennial periods, so that during the first ten years there was no provision made towards it, it was to begin from the very moment the line was commenced, and was to be calculated at the rate of 1 per cent upon the whole sum guaranteed, so that the entire loan would be repaid by annual and easy instalments, in about forty years, thus greatly reducing any possible risk incurred by this country. In one point, however, the present proposal was not so favourable as the former agreement. The late Government were enabled to stipulate that Parliament should not be called upon to legislate until the line of railway was actually fixed, whereas under existing circumstances it was necessary that Parliament should assent to the conditions required of them before they could know which of the three proposed lines was to be adopted. When the new Parliament of Canada assembled they would form a judgment as to which of the three surveyed lines it would be best to carry out, and would then refer their decision to Her Majesty for Her approval. Again, the security offered for the loan was a new revenue, instead of the three old ones; but he could show that the maximum of liability was more than covered by the minimum of security. The line involving the largest expenditure in its construction was the Eastern line running on the borders of the St. Lawrence, which was the one recommended by Major Robinson and by Mr. Light, who was for many years Chief Engineer of Works at New Brunswick. They had reports from these gentlemen and also a report from a gentleman who had been engaged in making a special survey by the Canadian Government. The calculation of Major Robinson gave £7,700 per mile as the greatest average cost of constructing either of those lines. The estimate of Mr. Light was rather higher, amounting to £8,300 per mile; but then Mr. Light acknowledged that Major Robinson's estimate would be perfectly sufficient to provide for the opening of the line, and stated that he had fixed upon a higher sum because he had taken into consideration some solid works which, after all, a railway might safely do without at its first starting. Some judgment might be formed from the cost of existing railways. The cost of the railway from Shediac to St. John's, in the construction of which the greatest engineering difficulties had to be overcome, averaged £8,300 per mile. It was true that the Grand Trunk Railway, in its Eastern branch running to Quebec, cost £8,800 per mile; but that line was made under great disadvantages, not only from the disturbed state of the money-market at the time when means were raised for it, but also from other contemporary circumstances. Some hon. Members might, perhaps, think that the proposed railway was in itself an unpromising speculation. Hon. Members might possibly believe that it would be unprofitable, because it would be blocked in winter. Certain portions of the Grand Trunk Railway were much more liable to such accidents than any of the lines proposed, and yet that railway had scarcely ever been stopped in winter, the longest stoppage not exceeding three days. It was not, however, a guarantee of profits that he asked, but only of interest on a fixed loan to be paid off in forty years. He asked for the guarantee of interest, independently of the success of the railroad, and irrespective of any dividend upon shares. The security was wholly independent of the profit or success of the undertaking—independent even of the completion of the railway, though the Bill would take ample means to secure that object. Although the highest average sum expended upon any railway in Canada was £8,800, he would go still higher, and take the cost of the proposed line at £9,000 per mile. The length of the longest of the proposed lines was 470 miles, which, at £9,000 per mile, would give a sum exceeding £4,000,000. That would throw upon Canada the raising of an extra £1,000,000 beyond the £3,000,000 guaranteed, and they would have to raise it on their own credit, which they could not do at a less interest than 6 per cent. The maximum and greatly outside calculation of charge on Canadian revenue which he was offering was therefore a payment at the rate of 4 per cent on the £3,000,000 guaranteed, which would amount to £120,000 a year; a sinking fund at 1 per cent, which would amount to £30,000, and the interest at the rate of 6 per cent on the extra £1,000,000, which would be £60,000, making in all an annual payment for forty years of £210,000. He would ask the House next to consider the security—the consolidated revenue of Canada — upon which it was proposed to charge the interest of the sum guaranteed and of the sinking fund, and any sum this country might have to pay, and any extra sum Canada might have to raise. The only charges upon the revenue of Canada which would have precedence over these charges were those specified in the Confederation Bill — first, the cost of collecting the revenue; second, the interest of Canada's present debt, about £12,000.000; and third, the future salary of the Governor General, £10,000 a year. There was a difficulty in determining what the revenue would hereafter amount to, inasmuch as the intercolonial duties between one province and the other would cease under the Confederation scheme—a deprivation of revenue, however, which was attended with the certain advantage of conducing greatly to the development of the Confederated commerce and industry. The future Canadian revenue would, he believed, be fully able to bear this charge of £210,000, only £21,000 more than the separate Governments as surplus last year were able to devote in the payment of debt. But the revenue of the United Government was not a fixed sum, but was made to correspond with the requirements of their Government year by year. The revenue of Canada was likely to rise to its requirements. The debt of Canada was £12,000,000. But how was this debt created? The public debt of the country, unlike the debts of other countries, which had been, as a rule, incurred to meet the charges of war and of unproductive expenditure, had been incurred in the promotion of public and remunerative works. It had, too, been met by the establishment of a sinking fund, and under the operation of that fund the debt was gradually decreasing every year. Canada upon all occasions had been able and ready to meet her engagements, and he would ask the Committee to consider the important fact that when in 1842 this country guaranteed the loan of £1,500,000 for public works, the revenue of Canada was only £300,000 a year. The revenue now amounted to £2,500,000. With the former revenue of £300,000, however, Canada paid off the loan nine years before it became due. As it was, the taxation per head of the population was annually decreasing, and at this moment it was not more than 15*s.* per head — no very alarming amount compared with that of almost every other country. A short statement which he would give the Committee would show the progress and the state of the country. Between 1851 and 1864 the tonnage of vessels entering the North American ports had increased from 1,250,000 to 2,500,000, the exports from 4,000,000 dollars to 40,000,000 dollars, and the imports, exclusive of bullion, from 9,000,000 dollars to 21,000,000 dollars. During the same period the number of letters had increased from 3,500,000 to 7,000,000, and the number of post offices in the country from 843 to 2,197. The population, also, had nearly doubled in the same period. The increase of growth in a young colony like this went on not at an arithmetical, but a geometrical rate. The Confederation would take away the languor of dependence upon England which had hitherto paralysed the divided Governments. Having clearly shown that his exaggerated estimate of liabilities which he had set down at £210,000 a year, including the principal and sinking fund and any possible extra charge, would be more than counterbalanced by a yearly increasing revenue, and amply supported by growing wealth, he would proceed to state the provisions of the Bill. In the first place, it would enable the Treasury to guarantee interest at 4 per cent on £3,000,000, to be strictly appropriated to the construction of a line adopted by the Canadian Parliament and approved by Her Majesty. But the guarantee would not be given by the Treasury unless the Canadian Parliament had, within two years, passed Acts—first, for the construction of the line; secondly, for its constant use at all times for the conveyance of troops of Her Majesty; thirdly, for the prevention of any charges on the Consolidated Fund and security of the whole of the charge in respect of the loan on Canadian revenue; and lastly—he wished particularly to call attention to this—for the postponing, in order of security, of any other charge for any public works undertaken by the Canadian Government. Whatever public works might be from this time undertaken by the colony, to be charged on their revenue, such charge must come after the charge for the guarantee of £3,000,000, after the charge for the sinking fund, and after any extra sum which might be necessary to be raised by the Canadian Government for the completion of the railroad. A more complete and sure guarantee for the speedy and faithful completion of the railway could not, in his opinion, be framed. All the local as well as the central governing bodies of Canada, would unite in urging on the rapid completion of the scheme, in order that the revenue of the country might be at their command for the furtherance of other works. Objectors to the scheme had magnified the possibility of unfortunate contingencies in the future fate of Canada. They had said that the new scheme of Confederation was an experiment, and that it was impossible to tell whether Canada would be independent in the course of a few years, or be annexed to the United States. But such gratuitous considerations as these should not, in his opinion, weigh with the Committee. If Canada were ever annexed to the United States, which this Confederation would render most improbable, our separations would take place either amicably or hostilely. If amicably, Canada's liabilities would be taken by her new connections with Canada's assets. If it were attempted to wrest Canada from the mother country by the sword, England must trust to success in war for the power to make terms at its conclusion. Upon this point he wished to offer one remark. If England desired that Canada should remain with her—and he, for his part, hoped that the two would long be connected—the way to bind their interests was by taking a liberal view of any common enterprize. If Canada were one of the United States at the present time, they would not have to apply to the Central Government for a guarantee—Congress would furnish the required means as for a national undertaking. The right hon. Member for Calne (Mr. Lowe) appeared to doubt that statement; but there could be no doubt that this railway would be of far more value to the United States, if Canada were joined to them, than the Great Pacific Railway, for the opening of the far West, and they knew what Congress was doing for that. How unwise, then, would it be for England to disappoint the expectations which successive Home Governments had raised among Canadians with respect to this guarantee. He would make no further observations with respect to the risks and contingencies conjured up by objectors to the measure; they were all infinitesimal in character, and to the last degree improbable, if not wholly chimerical.

Motion made, and Question proposed,

"That the Commissioners of Her Majesty's Treasury be authorized to guarantee interest, at a rate not exceeding four per centum per annum, on any principal money, not exceeding £3,000,000 sterling, to be raised by Loan by the Government of Canada for the construction of a Railway connecting Quebec and Halifax."—(*Mr. Adderley.*)

Mr. AYTOUN said, he thought the right hon. Gentleman's remark that he had the greatest possible dislike to guarantees was a very extraordinary introduction to an argument in favour of this particular guarantee, notwithstanding he had spoken of it as one of exceptional character, calculated greatly to benefit the colony. A very weighty objection to the Motion was that guarantees were diametrically opposed to principles of political economy. It had been said that this guarantee would not entail any loss to this country; but he should not be at all surprised if England had eventually to pay every penny of it. But whether she did or not, the proposition was unsound in principle and unfair to the taxpayers. At the present time money was exceedingly dear, railways at home were in difficulties from want of money, some having to pay 6 per cent for it. It would be a great advantage to them if they could get money at low interest and a Government guarantee; yet the Government denied them relief, and made English taxpayers liable for the debts of colonial undertakings. The proposal was totally contrary to the policy by which those on the chief Opposition Benches had gained their reputation, yet he was afraid that they also had given their consent to the scheme. It had been said that the Colonial Office had given pledges that almost amounted to a convention to do this thing; but he protested against the House of Commons being bound in matters of money by any such promises. He maintained that in a commercial and military point of view it was not expedient to depart from principle and grant a guarantee in the particular instance of that railway. The trade of Canada naturally flowed through the St. Lawrence, and its products were so bulky that they could not be advantageously conveyed by railway. An experienced railway engineer had stated that the line could never possibly pay one farthing. Then, in a military point of view, it would not only not be beneficial, but would be positively injurious to accede to this proposal, because it would hold out hopes to the colonists which it would not be in our power to fulfil. That railway traversed several hundred miles of country, and a portion of it passed in a line parallel with the St. Lawrence, at a very short distance from the United States frontier. It would be easy for the Americans, if they ever had the desire to invade Canada—which he hoped they never would have—to advance a force sufficient to cut the line and render it perfectly useless. We had difficulty enough already in obtaining an adequate supply of recruits for our army. We could never send out the forces requisite to protect that railway, or to cope with the enormous masses of men that would be thrown across the American frontier, if the United States ever seriously contemplated the invasion of Canada. Moreover, troops alone would not suffice for such a purpose. He believed the late Duke of Wellington had said that if they had not the command of the Lakes they could never defend Canada. We had now on those Lakes three gunboats, each with a crew of thirty-five men and an armament of one gun. The Americans had six vessels of double the tonnage of ours. The question was, which nation could increase its armament in the shortest time? It would be in the power of the United States Government to bring from their arsenals and sea-ports vessels of war, guns, and stores, and everything requisite for the speedy construction and equipment of a fleet, and thus obtain the command of the Lakes. He would be glad to hear from the Under Secretary of the Colonies in what manner he thought it was possible, under such circumstances, to prevent our flag from being driven from the Lakes of America within one year. They were asked to construct railways to convey troops when they had no troops to send and no fortresses in which troops could be concentrated. It would be of no use sending troops unless there were fortifications. Quebec was a strongly fortified city, and had been called by the right hon. Gentleman the Member for Oxford (Mr. Cardwell) "the door of Canada;" and a proposal had also been made to fortify a strong position on the Lakes; but the defence of the country would have to be left to the colonists. Would the right hon. Gentleman tell them whether any military men of eminence were of opinion that it was possible to defend Canada, with their reasons for their opinion, and the amount of force they thought would be sufficient? The House had not been put in possession of such information; neither had they positive information in regard to the estimated cost of the proposed railway. The right hon. Gentleman had made a statement with regard to several lines; but he did not tell them that any line had been fixed upon. The House should be satisfied that no other guarantee would be required, and that no further cost should be incurred. The line was not fixed upon because the Parliament of Canada—that was to meet next year—was to fix upon the line to be adopted.

Mr. ADDERLEY: I mentioned that there are three lines from which the selection is to be made, and that the plans are in the Library.

Mr. AYTOUN: But we do not know which of them is to be the line fixed upon.

Mr. ADDERLEY: I have mentioned the most expensive.

Mr. AYTOUN said, they should have an estimate of the cost for each particular line, and the basis on which the estimate was founded. He objected to the proposal of the Government because the proposed line would be useless in a commercial point of view, and worse than useless as a means of defence, and because they were not in possession of the estimated cost of the works to be constructed. He begged to move, as an Amendment, that the Resolution proposed by the right hon. Gentleman the Under Secretary be rejected.

Mr. THOMAS CAVE said, he had enjoyed considerable experience with reference to the cost of railways, and begged to second this Motion. He begged to explain that he had some local knowledge of the place through which the proposed line would pass. He had listened with attention to the right hon. Gentleman, and was quite unable, with his experience on the subject, to agree with him. The only advantage he could see in the whole thing was that it would be a colossal job. He did not mean to say it would be a job on the part of the right hon. Gentleman or on the part of the Government; but from his knowledge of the conduct of the colonists and of the local authorities, he believed it would be a job for them—not merely during the period over which it was proposed to extend the construction of the railway, but for a generation at least. He believed that most of the stations led from nowhere to nowhere—and most of the residences referred to along the line were wooden huts. The circulating medium was greatly made up of grain, meat, and poultry, and he did not envy the ticket porters. The Colonial Government originally proposed that they should not only pay for the construction of the line, but work it. The projectors must know that it would never pay its working expenses at all, and that in a few years they would pass out of existence as a railway company, whatever guarantee might be given. The right hon. Gentleman said that this proposal was part of the Confederation scheme. He did not see the connection. The right hon. Gentleman said the Canadian Government could not borrow money under 6 per cent. That should be a proof to any man's mind that the security they offered was not good. Representing taxpayers of England, he could not see the advantage of guaranteeing a loan for men who could not raise money under 6 per cent, and he very much doubted if they could raise it at that amount. The right hon. Gentleman said that it would make the Canadians independent of the United States. He could not see how this country could have such a great interest in so entirely severing the Canadians from the United States. He thought the safety of that country consisted in friendly communication with the United States. Anything that would cause dissension would only provoke the very danger they were always apprehending. What produced most humiliation on the part of Englishmen in communicating with the people of the United States was the weakness of the Canadian frontier. It would be better to have the whole onus of its defence thrown on Canada itself, and no such measure as this so likely to produce the very danger they wished to avoid. If, instead of giving the colony £3,000,000 with the view of separating it from the United States, we were to give £10,000,000 of money to join and unite them, it would be more patriotic. The Americans knew the weakness of our Canadian frontier, and in the time of our trouble they would not forget it. The right hon. Gentleman said in one part of his speech there would be no risk, and in another part he said there would be a minimum risk. He said that Canada had paid a previous debt; but that was what was always done by men wanting to borrow money. They always paid small debts with the view of incurring large debts. The right hon. Gentleman said there was a surplus of income over expenditure in the colony; but if he (Mr. Thomas Cave) knew anything of figures, the reverse was the fact. In the way that some of the balance-sheets of railways were made up it was excessively easy to show anything plainly. He was reminded of his experience in America in connection with certain railways. Speaking to a railway director after dinner, he (Mr. Thomas Cave) complained that he had induced him to invest his money in a certain part of the world on certain promises made in a certain prospectus. To this remark the hon. director replied: "Why, you don't understand it, evidently. When we have to get up a railway, we draw up a prospectus and promise to the European public as much interest as we think they would like to get. We put down the estimated population between the two points, and we make the first issue of shares, and get the money." He (Mr. Thomas Cave) begged to remark that this director did not state to him what he (Mr. Thomas Cave) afterwards heard, that the director bought the land between the two places and sold it at an enormous profit. He (Mr. Thomas Cave) did not mean to say that these gentlemen would do anything so fearfully wicked. The director further stated that with the prospectus in his hand he applied to London financial men, and was able to get enough of money to make one-third of the line. Then he published a statement announcing that in consequence of the difficulties they had to encounter, and the morasses through which they had to pass, they required more money, and proposed to raise it on first mortgage bonds. They always got this money on first mortgage bonds. Then they made another one-third—and, added the director, "We then always leave it to the shareholders and first mortgage bondholders to finish." He (Mr. Thomas Cave) feared that that must really be the result of this proposition. He had been selected as one of four Members of the House to investigate the affairs of the Atlantic and Great Western Railway, and that railway, with all its advantages—being able to carry all it wanted—running through a coal-field, and having its own coals—cost £24,000 a mile. He did not say all that money had been spent on the line; part of the money had been spent in jobbery; but there was jobbery in all parts of the world, and there might be jobbery on the railway they were going to make. In seconding the rejection of the Resolution he must express his belief that this money was nothing more nor less than hush-money.

MR. GLADSTONE: My hon. Friends who have just addressed the House have both spoken with great ability. My hon. Friend who spoke last, especially, has made good use, and very naturally, of the authority which belongs to his American experience for the purpose of discrediting a proposal which does not, I think, fall exactly within the category which he has described. Of course, upon the question of the natural obstacles in the way of the commercial success of this railway, it would be unpardonable presumption on me to enter into a contest with my hon. Friend. I am not competent to pronounce an opinion on that part of the case. But I may, I think, without detracting from his authority, say, in reply to a charge that this undertaking is tainted by a spirit of jobbery, that it is not a device and contrivance of certain gentlemen meeting together on their own private responsibility, and trusting to their own wits for the purpose of taking in the public. It is a scheme that has had the sanction of a series of free Governments for a long period of years, who, representing a population of our own birth and race, have adopted it as calculated to be beneficial in its results. The amount of authority which may be brought in support of the plan is of such a character, that I do not think we should simply observe the rules of prudence, in the attitude we assume, in the face of the colonies, or that we should be justified, if we set down at zero the whole of the assurances already given, and all the practical steps taken by the responsible authorities of the colonies. Some confidence and trust we must have in the mechanism of free Governments. The devising of this plan has been the work of a long series of years, and now it comes before us with, at any rate, the recommendation which can be drawn from a sanction of that kind. At the same time, the question we have to consider to-night is one entirely different from that of the goodness or badness of this railway as a commercial speculation. Should my hon. Friend be accurate in his estimation of the paying qualities of the railway when he says it will never, or at any rate will not for a long time, discharge its own working expenses, still I hold that it would not be wise in us to enter too minutely into an investigation of that matter. The guarantee which we are asked to give does not relate in any way to the productiveness of this undertaking. It is a guarantee to be given for the Colonial Government, and the safety of that is to be estimated by the credit, revenue, and good faith of that Government. Therefore I am not overscrupulous with respect to the paying qualities of this railway, and I do not wish to see the debate turn on such a consideration; for then, if the augury of my hon. Friend proved true, we should give an excuse to our fellow-subjects to turn round on us and plead their disappointment and ask for the remission of this debt, which I do not believe they will do. This is a proposal with respect to which the late Government are just as responsible as the present; and therefore I am desirous of taking an early opportunity of stating the view which the late Government took, and which I hope the House will take of this proposal. I am glad that the right hon. Gentleman first distinctly stated that neither we nor anybody are entitled to hold a free Parliament engaged or trammelled in any degree by the promises of two Administrations to apply to Parliament for a guarantee in respect of this proposal, which undoubtedly is brought forward in immediate connection with the great scheme already sanctioned by Parliament for the union of the British North-American Colonies. It was always made clear to the colonial authorities that it was not within our power or inclination to fetter the judgment of the House of Commons with respect to the liability to be fixed on the British Exchequer, and therefore I trust that hon. Gentlemen will look at this question with the feeling that they are about to exercise a free, and therefore a responsible judgment. It was always understood that this, which is called a guarantee on a loan to be raised for the construction of a railway, was, in point of fact, a financial transaction in respect to which we have no cognizance of railway companies, or anybody connected with them, but we deal simply with the exchequer of the State about to be created in British North America. I cannot but agree with those who are anxious to draw attention very fully to the serious nature of this proceeding. We may say with truth that we fairly expect that all the engagements about to be contracted with the province of Canada will be rigidly and exactly fulfilled; but it does not follow that the gift which the House is solicited to confer is a nominal or an empty gift. When we pledge the credit of England, we are laying an additional burden on the financial resources of this country. It matters not whether in a particular instance there will or will not be a call for the actual payment of the money. The principle is clear that a guarantee is a real obligation and burden undertaken by us. The real test of that circumstance is this. If, on the same day when in the City of London a large guarantee by the British Government was announced, it likewise happened that the Government had to go into the market and borrow £5,000,000 or £10,000,000 on their own account, they would not be able to raise the money on the same terms as they might have done before the guarantee was known. Therefore, let us not attempt to conceal from ourselves that the guarantee is a real burden. Many things have been said in this discussion in relation to the principles applicable to the military expense of the colony, in which I cannot but agree. The natural interpretation to be given to an expression which fell from the hon. Member for the Fife Burghs (Mr. Aytoun) is that it is to be inferred from this measure that the intention of the Government is to undertake increased responsibility and charge in reference to the military defence of the British North-American Colonies. A sentence, too, fell from my right hon. Friend (Mr. Adderley) from which, if criticized minutely, it might be inferred that, whereas Canada is without the means of defence, the construction of this railway is intended to enable this country to make greater efforts and undergo greater sacrifices in the ordinary and usual defence of that country. It appears to me beyond doubt that the construction of this railway will considerably increase the means of military defence or military aid to Canada if a case of necessity should arise. But while I say this, I must add that so far from considering this guarantee as an expression of the will and readiness of any Government of this country, or of Parliament, to undertake additional responsibility with respect to the ordinary work of the defence of the Province of Canada, I place on it exactly an opposite construction; and but for that opposite construction I should find it impossible to justify the proposal now made. I look on this guarantee as a measure auxiliary to the great work of Confederation. It is collateral to that great work the purpose of which is the development of the resources of the colonies, the increase of their wealth and strength, and along with that the gradual and, I trust, the speedy development of their self-reliance. I do not conceal from myself that we have been for a long time, to a great extent, in a false position with respect to the condition of colonial defence, and nowhere has it been so seriously exhibited as on the Canadian frontier. If Canada is to be defended, the main element and power in the defence must always be the energy of a free people fighting for their own liberties. That is the centre around which alone the elements of defence can be gathered, and the real responsibility for the defence must lie with the people themselves. But we have had a colonial system, which attempts have been of late made to modify, the characteristic of which was to throw the whole responsibility for defence not only on the Exchequer, but on the mind and thought of this country, and to place on our military department the charge and expense of the military service for the colonies, just as much as if those colonies were a portion of the three kingdoms, and just as if they were not inhabited by an intelligent and free population. The escape from a false position of that kind is no easy matter. You cannot do it by a simple arbitrary modification of your military system. You must look to giving a higher civil and political position to these communities themselves. Much has been done in that way. We have for a full quarter of a century acknowledged absolutely the right of self-government in the colonies. But while we have made great advance in that sense, we have made very little advance with regard to many of the legitimate consequences of that position. It is impossible to conceive anything more complete than our acknowledgment of those rights of self-government. We do not expect the laws of Canada or of Australasia to be modelled according to our own ideas. We grant them a greater freedom from interference than as amongst the three kingdoms the Legislature grants to the peculiar ideas that may happen to prevail in one of those three. We have carried it to this point, that as far as regards the Administration, I believe it may be said that the only officer appointed by the Colonial Secretary is the Governor ; and I believe there cannot be a doubt that if it were the well-ascertained desire of the colonies to have the appointment of their own Governor, the Imperial Parliament would at once make over to them that power. We have gone further : because if there is any one thing which we are entitled to insist upon as a limit to that self-government, it is that British merchandise should enter into these provinces upon certain terms; but instead of that, the assent of the Queen has been given to Acts imposing duties of 10, 15, 20, and 25 per cent upon products of English industry entering Canada. These, Sir, are very serious matters, and I hope that their very magnitude will secure for them attention according to their gravity and importance. How are we to rectify what requires rectification in our relations with British North America ? I must say we are in the path of reason and prudence as well as equity and liberality. We have passed a measure by the unanimous assent of the House, and with a promptitude which if it had been a matter of legislation affecting ourselves would have been precipitancy. But when one thinks it was an acknowledgment of the title of these colonies to deal practically with their own affairs—with a speed of which there is hardly an example—we have passed a measure for uniting these colonies together, and we hope—nay, I feel confident—that the result of that measure will be the development along that great extent of territory of a stronger sense of political existence, more self-reliance, and more self-relying habits. For we must not conceal it from ourselves, that if up to this time the sentiments of British North Americans with regard to self-defence has to some extent separated the burdens of freedom from the spirit of freedom the fault has been mainly ours. It was the overshadowing power and design and determination of this country which formed our colonial system by placing on us the responsibility of its defence. We have to bring about a different state of things. The best way to do it is to raise their political position to the very highest point we can possibly bring it, in order that with that elevated position their sense of responsibility may likewise grow. It cannot be too distinctly stated that it is in this light that we look upon the plan for uniting the Provinces of British North America. The evil which attends the old system, casting the burden of the responsibility of colonial defence wholly, or almost wholly, on this country, is not to be measured by the amount of pecuniary drain on our resources. Even if we were so to look at it it is a very serious thing. If we were to reckon and apportion the charge of our military Estimates occasioned by keeping a British force in these provinces it would startle many hon. Members. It is a very heavy charge indeed ; and it is our duty in every way to get rid of it. But the evil in this particular case is by no means limited by that view. The system of vicarious defence—the system of having the burden of its frontier defence borne by another—enervates and depresses the tone of the country in which it prevails ; and its withdrawal is necessary in order to bring the country to the full possession and enjoyment of freedom. Nay, more, in this instance who can doubt that the defence of the colonial frontier mainly by the force, and wholly on the responsibility of England has been recently a source of actual danger to Canada? Does any man believe that that most wicked outrage—hardly, I think, to be paralleled in the annals of piracy itself—the Fenian invasion of Canada, would ever have taken place if it had not been known that there was precisely the same power of wounding British honour through the medium of some success vainly hoped for against British troops as in case of an invasion of Great Britain herself? It is not necessary to pursue this line of remark. That illustration is a sufficient demonstration that for Canada to take on herself, as circumstances shall open themselves, the management and control of her whole frontier will be not only a means of raising her position in the world by the fulfilment of the duties of freedom, but it will be an escape from actual peril. I know of no objection that can be urged to the contemplation of a gradual, yet, I hope, speedy change of that kind, unless it be the idea that when you cease to take upon this country the ordinary burden of defence for the colonies you weaken the tie between them and the mother country. Now, when I have stated that it seems essential that British North America should largely undertake not only the charge but the responsibility of her own defence, I do not mean to say that in the event of the occurrence of danger the arm of this country would be shortened, or the disposition of this country to use its resources freely and largely in aid of that colony would be in the slightest degree impaired. On the other hand, my belief is that there would be no bounds to the efforts which this country would make for the purpose of aiding and supporting the North-American Provinces in their willing and energetic efforts to maintain their connection with this country. But that is a totally different thing from saying that this connection is to be maintained by the expenditure of large sums of money from the British Treasury, either by way of pomp and display in the colony or by way of attracting favour there by a lavish charge. No, Sir; the connection of this country with the British colonies is to be maintained on totally opposite principles. If there are those who think that the expenditure of money through the means of little standing armies kept in the colonies is to be the security for the maintenance of colonial connection, I ask why not do that with Australia? Has our connection with Australia been in the slightest degree weakened by the almost total withdrawal of British troops from the colony? The connection between this country and her colonies is not a selfish and sordid connection, and ought not to be so on one side or the other. No; it is at once a connection of interest, of honour, feeling, and duty. That feeling is never more recognised than at the present moment; and the more it is understood that there we are to look for the basis of the connection the more secure that connection is likely to be. These are the views that appear to me applicable to the present case. It is not administration, it is not interference, it is not imposing burdens on the colonies in any shape, to which we now look for maintaining our influence there and preserving the colonies as parts of the Empire. But if this be so—if our demands on them, such as they used to be, have been not reduced and diminished, but long ago abandoned, then undue demands on the other hand should not be made on the people of this country—more especially unjust and undue demands—as they do not belong to us and are mischievous, not more to us than to the people of the colonies themselves. This, Sir, is opening a very wide political discussion; but it is only by a survey of that field that the key to a measure of this kind can be obtained. It is not fair to say, how can you connect the construction of this railway with the development of these sentiments in the colonies — the creation of habits of self-reliance and the growth of the full tone of freedom? The ground on which it may be supported is this—that following the sentiments and convictions of the colonists themselves, this plan for the construction of a railway, for which we are now asked to guarantee a loan to the Colonial Government, has been associated with and incorporated in the scheme of Confederation itself. Consider it with reference to this scheme of Confederation, and if you believe the objects of that Confederation are such as are vitally important and beneficial to the relations of this country with our North-American Colonies, give the benefit of that consideration to the proposal now made. It is only on grounds of that kind that I support the proposal before the House. The general system of colonial guarantees is one which has come into just discredit within the walls of Parliament; and I would hope that only motives of the highest order will induce any

Government to make proposals to the House of Commons for such guarantees. I believe the present guarantee does depend upon motives of policy belonging to a very high order, and intimately and inseparably associated with most just and most enlightened views of the true interests of the Empire.

MR. LOWE: Sir, the speech of the right hon. Gentleman (Mr. Gladstone) naturally divides itself into two portions. The first, that in which he answered most of the arguments in favour of the measure before us, and the second, that in which he himself argued very forcibly against it. I thought that one of the arguments which would be principally relied on in favour of the measure would be that several Governments had agreed to this proposal and had pledged the faith of the House and of the country to it. But the right hon. Gentleman, with an authority second to none upon the subject, has taken upon himself to relieve us from this difficulty, and has told us that the matter is fairly and fully before us, and that we are not pledged in any way to anything. I have no doubt that the right hon. Gentleman is perfectly right in what he says; because, although it may be insisted that any treaty entered into by Government with a foreign Sovereign would bind us, however much we might disapprove, this does not apply to colonies governed by the same Sovereign as ourselves. I therefore entirely agree with the statement of the right hon. Gentleman that the House is perfectly free to adopt any course of action it may think fit to take in the discharge of its duty with reference to this question. The right hon. Gentleman has also relieved me from the necessity of showing, which I think it would be easy to do, that in a commercial point of view, the construction of this line is perfectly useless, and in a military point of view it is highly dangerous. He says that he does not put the question upon the merits of the line, but upon other considerations. The House is perfectly aware that Canada has a communication already by means of the railway from Montreal with the town of Portland, in the State of Maine, which is a port open all the year round, so that for the purposes of commerce there is already a communication between Quebec and the Atlantic ocean. For commercial purposes, therefore, it is unnecessary to make this line. I am not competent to express an opinion upon the military question involved in the construction of this railway; but it does appear to me that if we make a railway within twenty miles of the frontier of Maine, the first act of the American Government in the event of a war with this country would be to seize the line. The question with us would be, whether it would not be preferable to destroy it rather than allow it to fall into their hands. Whether they would think it worth while utterly to destroy it or to use it for the conveyance of their own troops I leave it to a military man to determine; but it appears to me that seated on horseback—as is the military phrase—on that line, the American troops would effectually interpose themselves between Halifax and Quebec, between one part and the other of the Confederation, against either or both of which they might act at their pleasure. Therefore, in constructing this railway, I believe that we are making a formidable auxiliary to America if ever she chooses to invade Canada. Then, although I am already discharged by the right hon. Gentleman from the necessity of doing so, I may take the liberty of saying that a more hopeless undertaking than this railway it would be impossible to conceive. Any person conversant with the country will tell you that it is impossible it can pay its working expenses. Engineers will tell you that, owing to the severity of the climate and the desolate regions through which it passes, it must be closed during a large portion of the year, and yet this is the line that is to be constructed especially to enable troops to be brought up from Halifax to Quebec, when the St. Lawrence is closed. The country through which it is to pass is one most difficult for the construction of works of this description, since it consists of a succession of parallel ridges and of deep valleys, which will render it impossible for the line to be constructed without a great number of cuttings and viaducts being made. I am also informed upon authority that it is quite ridiculous to suppose the line could be made for anything like the highest estimate that has been laid before us. But we are discharged from considering all this. The question we have to consider, the right hon. Gentleman says, is not what is to be done with this railway when constructed—indeed it does not matter, according to the right hon. Gentleman, whether the money is spent upon the railway at all, or whether it is misappropriated, so long as we have good security for its repayment—because the loan is intended to serve a higher purpose. But I think it does matter to what use the money is to be applied. I think it is not consistent with the dignity or the good sense of the House that we should be calling upon the people of this country to take upon themselves a financial burden in order to facilitate the construction of such a line as has been described. If I am wrong in my calculation—and I certainly do not speak from personal knowledge of the matter—let us, at all events, have an inquiry into the matter. The right hon. Gentleman has relieved us from the necessity of discussing the ruinous fallacy that "It is only giving our name," for when we give our name we are incurring a pecuniary liability, and that we have no right to do unless this country is to obtain some equivalent advantage from the engagement. Proceeding a step further, I next come to ask why is it that, all these arguments being so satisfactorily refuted by the right hon. Gentleman, we are asked to give our guarantee for this loan? The answer is because it is auxiliary to the Confederation. This does not appear to me to be a very intelligible phrase; but I will endeavour to analyze it in a moment. Another reason given is that, as the right hon. Gentleman says, and says with truth, we have got into a false position with regard to our North-American colonies in connection with military matters, and that we must get out of it. We have in some degree debauched the minds of the colonies by being over-ready with our men in defending them, and over-ready with our money in the way of military expenditure. This is all exceedingly true; but how does this prove that we ought to guarantee them £3,000,000 more. It seems to me that the argument goes exactly the contrary way. If we are to teach our colonies self-reliance, and if they are really to undertake their own defence, we should not commence by furnishing them with British credit. This is essentially a military scheme. If we are to find the guarantee to enable the scheme to be carried out, how does that inculcate the principle of self-reliance among the colonies? I am not able to state the amount of our military expenditure for the purposes of Canadian defence, but it must be something enormous—certainly more than £1,000,000, and this has to be undertaken by a poorer country in favour of a richer; for, judged by any test, the inhabitants of Canada are indisputably better off than are the taxpayers of this country. And, notwithstanding this vast annual expenditure on their behalf, we are now asked to guarantee the loan of this large sum. This, then, is the way the question stands at this moment, and there only remains one other consideration, and that is, are we justified in guaranteeing this loan because it is "auxiliary to the plan of the Confederation?" As a plain man, what I understand by this loan being auxiliary to the plan of the Confederation is this—that it is the price this country is to pay for the Confederation being entered into by our North-American colonies. That is a very serious question indeed. I, as a Member of Parliament, was quite willing to give my consent to the Act for the Confederation, because the people themselves wanted it, but there I say our responsibility should end; and I protest against our taking upon ourselves the responsibility of inducing the colonies to enter into such a confederation. I do not see why, because we are assenting to the colonies adopting any form of government they may choose, we are to take upon ourselves to find the money for them to undertake this scheme. I think that by bribing them to enter into this Confederation by guaranteeing this sum, we are taking upon ourselves a responsibility which we shall one day deeply rue. I object to this measure for exactly the reasons that induce the right hon. Gentleman to advocate it—namely, because it is "auxiliary to the Confederation." It is because by voting this money for carrying out this scheme which the right hon. Gentleman truly says has been incorporated into and made a part of the Confederation, not with the view of any pecuniary advantage to this country, but only to smooth away the objections the colonies themselves might have had to the plan of Confederation, and perhaps to draw the colonies and the mother country into a closer relationship as borrower and surety, that I object to this proposal. For my own part, I do not think that this plan of Confederation is calculated to work satisfactorily; but it is the wish of the people of the colonies that it should be carried into execution, therefore I can make no objection to it. But I do object to its being supposed that they have been induced to enter into this scheme by pecuniary considerations. But I object to the measure upon much larger grounds. This plan of inducing the colonies by persuasion and by the influence of a loan of public money, to enter into a particular form of Government is fraught with this evil, that we represent ourselves to them and to the world as taking a peculiar interest in the manner in which they choose to regulate their internal affairs and their relations with the United States. Now that we have given them self-government, let them manage their affairs their own way, and do not let us make ourselves responsible for the manner in which they regulate their internal or foreign relations. The management of our own affairs is quite sufficient for us without our mixing ourselves up in matters with which we have no concern, and over which we do not for a moment profess to exercise the slightest control. I think the reason given by the hon. Member for Barnstable (Mr. Thomas Cave) against entering into this arrangement is of immense cogency. We are setting up this Confederation—or, at least, we shall not be acquitted of such an intention in the eyes of America—as a rival to the United States. ["No, no!"] It is said that we are setting up the Confederation in order that they may defend themselves against aggression; but I say that we are setting them up as a rival to the United States. ["No, no!"] To my mind nothing could be more foolish or more unworthy of us as a nation than such an attempt; while, at the same time, nothing could be more fatal or more ridiculous than such an act on our part. I am not going to repeat all that I have said on previous occasions upon this subject, as to the absurdity of thinking that we can defend these colonies against any attack by the United States; but I must repeat that I object to any step being taken that can be construed into a sort of challenge or defiance to the United States, or that would lead them to suppose that we contemplate by any act, by making a railway, or by any other job, to make these colonies a match for them. You have on the one hand a country like Canada, using the word in its new sense, with 1,500 miles of frontier, and a population of 3,800,000, and do you think you can make her a match for the United States, with its population of 35,000,000, merely by the aid of a few thousand men, whom, in all probability, in the event of a war you would not be able to send to her assistance? The idea is the most ridiculous and chimerical that can possibly be. It is because this scheme does point in this direction, it is because the ominous word "defence" is mixed up with it, that I more especially object to this House being dragged into this guarantee. The position I wish to maintain with regard to the American colonies is to do our duty towards them as far as in us lies, but not to undertake impossibilities. We are in America somewhat in the position of the Plantagenets in France about the time that the French Monarchy was consolidated—namely, encumbered with large dominions which a mistaken sense of honour forbade them to get rid of, although unable to defend them. What we ought to do is to cultivate the most peaceful relations with the United States, and for that purpose we should abstain from taking any measures which could be construed by that country into a hostile attitude. We are not able to carry it out, and therefore had better not attempt it. We are at peace now with the United States, and my hope is that Canada may be preserved from invasion by that country—in the first place, by the good sense and moderation of the people of that country, and next by a similar reason that would prevent Italy invading Norway—namely, by the climate. I hope the House will consider seriously the step they are about to take, and that if they determine to enter upon this step they will put in this Bill some very stringent securities to provide that the money spent under our guarantee shall be applied to the purpose for which it is voted, and that it shall not stick to any one's fingers in its progress to this charming railway that is to be constructed. Agreeing as I do mainly in principle with my right hon. Friend, I submit that I draw the more logical inferences of the two. Our principles are common; our conclusions are exactly contrary. It is for the House to judge which conclusions are better founded. I was examined before a Committee of the House of Commons three or four years ago on the military defence of the colonies, and I made an observation, which I beg to repeat—

> "In the time of the American Revolution the colonies separated from England because she insisted on taxing them. What I apprehend as likely to happen now is that England will separate from her colonies because they insist on taxing her."

MR. WATKIN said, that in following the right hon. Gentleman he felt very much as a quiet Roman citizen must have done on passing the chief gladiator in the street—inclined to pass over to the other side, and to have nothing to say to him for fear of the consequences. But some years ago he was requested by the late Duke of Newcastle to make inquiries, which convinced him that the hobgoblin fears expressed that night in regard to the construction of this 375 miles of railway were unfounded. Let hon. Members remember that Her Majesty's American dominions extended over an area equal to one-eighth of the habitable globe. This railway gave us communication not only with Canada, and with 10,000 miles of American railways, but with the vast tract of British territory extending across to the Pacific. The consequence of making this railway would be that two days would be saved in going from England to the Northern Continent of America, including the great corn-growing district of the west. If the House had seen, as he had seen, the Canadian Volunteers turn out in bitter weather to repel a threatened invasion without a red coat near them, they would think that the right hon. Gentleman's taunts might have been spared. The British provinces had taxed themselves £360,000 a year for the execution of their portion of those works which Lord Durham had proposed in 1838, with the object of binding together by the means of physical communication the varied sections of the Queen's American dominions. The evidence of every military man, including Sir John Michell, the present Commander-in-Chief in Canada, was that this railway was absolutely necessary for the military defence of the colonies. It was, however, to be defended not merely on that ground, but on that of its great commercial advantage. There were now in the Government offices memorials from many of the large towns in the three kingdoms concurring in the commercial necessity and advantage of the measure which the House was now asked to agree to. Therefore, originating as it did with Lord Durham, sanctioned as it was by Lord Grey's proposals of 1851, adopted by the late and the present Government, demanded for purposes of defence, as also for the more genial and generous objects of commerce and of peace, he hoped the House would support the construction of the railway by a guarantee which would not cost this country a shilling.

Motion made, and Question put,

"That the Commissioners of Her Majesty's Treasury be authorised to guarantee interest, at a rate not exceeding Four per centum per annum, on any principal money, not exceeding Three Million Pounds sterling, to be raised by Loan by the Government of Canada for the construction of a Railway connecting Quebec and Halifax."—(*Mr. Adderley.*)

The Committee *divided*:—Ayes 247; Noes 67: Majority 180.

House *resumed.*

Resolution to be reported *To-morrow.*

MUTINY BILL.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir John Pakington.*)

MR. DARBY GRIFFITH said, he wished, before the Speaker left the Chair, to make a few remarks generally on the way in which this Bill had always been treated by successive Governments. He was far from imputing blame to the present Administration, who had merely followed the example of their predecessors; but he must blame on public grounds the habit that had grown up and been followed for a long series of years of treating with neglect one of the most important Bills that could be passed by Parliament. It was regarded at the Revolution as the very foundation of the liberties of Englishmen, and was estimated as the great bulwark of the Constitution; but in modern times it was treated as a mere matter of form, with no greater respect than an old almanack. Upon the principle that they should not look a gift horse in the mouth it was put before them on official authority, as if they were to swallow everything wholesale that might be tendered them at the hands of the officials. So much was this the case, that it was considered as a great favour when consent was given by the late Administration to place a few copies in the Vote Office to make this Bill accessible to Members. Last year his attention had been roused by a particular clause in the Bill, and he thought it his duty to look through it, and it was only by making a vigorous complaint that the Bill, which was not then printed, was made available to Members. Why should such a measure be treated in this cursory manner, when even a turnpike Bill was printed and circulated before the second reading? On many occasions the Bill had not been in print when the House was called upon to pass its early stages, and such conduct he considered was derogatory to the House. The officials had treated the Bill as a mere form. They produced it as they liked, and the question arose, were the officials superior to that House? The great office which had been established in Pall Mall, at a cost to the country of £200,000 a year, appeared to be under no control, and transacted its business in a manner no one could understand. The War Office was originally intended to act as a check upon the Horse Guards; but it appeared that the Secretary at War was nothing else but the humble servant of the Horse Guards. They could not tell at that moment with whom the chief command of the army rested, and all that they knew was that the authority of that House was almost set aside. A Motion was carried in that House the other day for the abolition of military flogging, and with what degree of respect was it treated? The Secretary for War (Sir John Pakington) announced that no manner of notice would be taken of it, and that everything would go on in the usual way. Since that he had heard that the right hon. Gentleman had not even the authority of the Horse Guards to make that announcement to the House. The right hon. Gentleman would be able to tell them how that was; but, if so, it was a very grave affair, and showed that the co-ordinate authorities were not in harmony with each other. The Mutiny Bill was generally passed at a late hour of the night and went through its succeeding stage next day. He contended that it should be circulated amongst Members in the usual way, and that proper intervals should take place between its different stages.

Mr. HADFIELD said, he quite concurred in the complaint made by the hon. Gentleman as to the non-distribution of the Bill. He believed the reason given was that it was to save the expense of a few additional copies, and the Yearly Indemnity Bill was treated in the same way. At present the arrangement was that the Bill was printed and deposited in the office, where a copy might be had by any Member who applied for it; but they were not distributed like other Bills, though in his opinion none that came before the House deserved more serious consideration than the Mutiny Bill. The passing it was a mere farce. He was glad that the flogging clause was to be modified.

Sir JOHN PAKINGTON said, he entirely concurred with the hon. Gentleman who had just spoken, and with his hon. Friend the Member for Devizes (Mr. Darby Griffith), with regard to the great Constitutional importance of the Mutiny Bill; and he could assure his hon. Friend that he had not the slightest wish to treat the House with anything like disrespect, or to undervalue the importance of the question. He would remind his hon. Friend that the Mutiny Bill was introduced, if he was not mistaken, before he had entered upon his present office, and his experience was so short that it could hardly be expected that he should make any change in the usual practice. He believed his hon. Friend would find that the mode in which this Bill had been introduced in the present year was exactly in accordance with the practice of former years. The noble Lord opposite, who held the same position in the late Government, would confirm him when he said that the Mutiny Bill was not treated like other Bills, only because, year after year, it was, with some slight alterations, essentially the same Bill. [The Marquess of Hartington: Hear, hear!] His hon. Friend had expressed some strong opinions as to the present relations between the War Office and the Horse Guards, having gone so far as to say that the Secretary of State for War was subordinate to the Horse Guards. Speaking from a very brief experience, he would say that his hon. Friend had taken a very erroneous view of the actual powers of the two Departments.

Bill *considered* in Committee.

(In the Committee).

On Question that the Preamble be postponed,

Mr. DARBY GRIFFITH said, that what he meant when he spoke of the relations between the War Office and the Horse Guards was that it was difficult for the House and the country to understand which was responsible. He had spoken of the two Departments as co-ordinate, not of the War Office being subordinate.

Preamble *postponed.*

Clauses 1 to 5, inclusive, *agreed to.*

Clause 6 (Power to constitute Courts Martial).

Mr. DARBY GRIFFITH said, he wished to take that opportunity of noticing a fallacy which prevailed very much in military minds—namely, that it was by reason of the prerogative of the Crown that the power of the Sovereign over the army was established. That was not so. It was established by express Act of Parliament, without which the Crown could not make Articles of War or order courts martial.

Clause *agreed to.*

Clauses 7 to 9 *agreed to.*

Clause 10 (Powers of Regimental or Detachment Courts Martial).

SIR JOHN PAKINGTON moved the addition of the following words:—

"but no sentence of corporal punishment awarded by a Regimental Court Martial shall, except in the case of mutiny or aggravated insubordination next hereinafter mentioned, be put in execution in time of peace without the leave in writing of the General or other officer commanding the district or station in which the Court may be held."

MR. WHITBREAD said, he objected to the use of the words "aggravated insubordination," and he proposed to substitute "insubordination accompanied with personal violence." He did not think it would be an answer to say that "aggravated insubordination" was a technical term in use at courts martial. It was doubtful whether the term had a strict and well-defined interpretation even there. But as this was one of the three offences for which flogging was to be inflicted in time of peace, the House and the country ought to know distinctly what was meant by it. The words he proposed did not admit of a wrong interpretation. Taking into account the views held in the army with respect to flogging, he admitted that the concession made by the right hon. Baronet was a liberal one. He felt, however, that the definition of this particular offence ought to be put down in black and white, so that the most illiterate person might understand it. If the words, "insubordination accompanied with personal violence," were adopted, while he did not abate one jot of his opinions on the subject of flogging, he should be no party to pressing the matter further.

MR. MOWBRAY said, that the Government would meet the hon. Member in the spirit in which he had proposed his Amendment. The phrase hitherto used had always been "gross insubordination." That was nothing but a vituperative epithet. [Mr. OSBORNE: And so is "aggravated insubordination."] He admitted that there was some vagueness about it, and would therefore accept the words proposed by the hon. Member.

Mr. Darby Griffith

MR. HORSMAN said, he would suggest the postponement of the clause. The question to be hereafter raised was whether corporal punishment in time of peace ought to be discontinued; but this clause anticipated the question. He thought it would be better to postpone this clause till after the new clause to be proposed by the Secretary at War had been discussed. As the question stood the House had expressed its opinion that flogging in the army should be abolished, and the clause if adopted would be inconsistent with that vote.

COLONEL NORTH said, he thought it would be better to postpone the clause. He hoped that before the Bill passed every officer and soldier in the army would know for what offences flogging might be inflicted.

MAJOR JERVIS said, he was of opinion that the Committee should not hastily postpone the consideration of the clause. There was no necessity to postpone it as it related to courts martial to be held in time of war, whereas the other clause referred to time of peace.

Clause *postponed.*

Clause 11 (Courts Martial on Line of March or in Troop Ships, &c.,) *postponed.*

Clauses 12 to 21, inclusive, *agreed to.*

Clause 22 (Power to inflict Corporal Punishment and Imprisonment).

SIR JOHN PAKINGTON rose to move that Clause 22 be omitted, in order to substitute the clause of which he had given notice.

THE CHAIRMAN said, that the proper course would be for the right hon. Gentleman to say "No" to the proposal that Clause 22 should stand part of the Bill, and that the clause he proposed to substitute for it should be brought up as a new clause at the end of the Bill.

SIR JOHN PAKINGTON: Sir, I propose to vote against retaining this clause in the Bill, and when the remaining clauses have been disposed of I shall move the insertion of another of which I have given notice. I take this step with the full concurrence of the Commander-in-Chief. In the course of my communications with his Royal Highness, I have found that nothing could exceed the sincerity of the desire entertained by him to show every deference to the views which have been expressed by the House of Commons upon this subject, so far as such views are consistent with his paramount duty as the officer charged with maintaining discipline in the Queen's army. I was very sorry to hear from my hon. Friend (Mr. Darby Griffith) during the earlier part of this evening that I am open to the charge of having treated the decision of the House with disrespect. I hope that is not the general opinion of the House; for, in taking the course I have, nothing was further from my intention. The House had arrived, by a majority of 1, at the decision to abolish altogether the practice of flogging in the army in time of peace; and it became my duty upon a subsequent evening to state that upon so important a question the Government could not look upon a majority of 1 in a House of 215 Members as a final decision of the House of Commons upon this question. As it was therefore necessary to give the House an opportunity for re-considering the point, I thought the easiest and most courteous method of doing so would be to retain the clause in the Bill, and I gave the most public notice possible of my intention, in order that hon. Gentlemen might have an opportunity of again raising the question. But, although I have since stated that I intended to retain the clause in the same form as it is now before the House, I was not aware, and I believe few are, that the clause in the Bill differed from the Queen's regulations upon the subject. That I thought was a state of things hardly defensible, and resolving to abandon the clause, I considered how I could frame a clause which would at once satisfy the House and those officers who were charged with the discipline of the army and at the same time be consistent with the Queen's regulations. The desire to get rid of this punishment must exist with us all, for notwithstanding the majority in favour of abolishing the punishment was represented by a single vote and the decision a matter of chance, I could not help thinking as I listened to the debate which preceded the division that there existed a strong and conscientious opinion among a large number of hon. Gentlemen that the discipline of the army could be maintained without resorting to flogging. I have therefore resolved to propose the clause which I have placed upon the paper. It makes large concessions, and I trust the House will deliberately consider it. In the course of the debate I was much struck with the very generally expressed opinion that if flogging were abolished some other punishment must be instituted. I watched anxiously, but in vain, for the mention of some substitute. The only alternative I heard suggested, was that dismissal should be substituted for flogging. I speak before military men, who I confess are far better judges than I can be of such a matter; but I must express my belief that if you trust to dismissal from the army as a substitute for the punishment of flogging you will find it wholly inadequate, and at the same time you will incur the danger of men committing offences with a view to incur the punishment of dismissal. Under these circumstances, and after consultation with his Royal Highness the Commander-in-Chief and other authorities in the army, and with their full concurrence, I have made two concessions which I hope the House will deem to be large concessions. I apprehend there will be no difference as to retaining the present law with respect to an army in the field in time of war. I therefore only propose changes with reference to punishment in the army in time of peace. The changes I propose are twofold. The first is that corporal punishment shall be limited to three offences of the gravest character—namely, mutiny, aggravated insubordination, and disgraceful conduct of an indecent kind. The hon. Member for Bedford (Mr. Whitbread) wishes to change the language I have used with regard to the offence of insubordination. I was assured that the word "aggravated" would lead to no difficulty, as they are technical terms and well understood in the army. But the words suggested by the hon. Member are more clear, and I have no objection to their being adopted. I propose that corporal punishment shall be limited to the three offences enumerated in the clause. There is another concession involved which I consider to be of a still larger character, and the House will see that it is a material change. It is that soldiers in the first class shall be exempted from corporal punishment altogether. I am quite aware that in making this proposal I am going further than many officers feel to be safe. They would retain the power of punishing even first-class soldiers for certain offences. My opinion is that, on the whole, it would be better to draw a broad line, and to enact that no man shall be subjected to corporal punishment until by his own misconduct he has degraded himself to the second class. At this time there are 170,448 soldiers of the first and 17,142 of the second class, so that 91 per cent of the whole army consists of men of the first class, who, under the proposed change, will be exempt from corporal punishment. The House will believe that in making these proposals we have endeavoured to show deference to its expressed opinion. The concessions cannot be regarded as otherwise than large in character; and I confess that, while giving credit for praiseworthy motives, I feel some little disappointment that they have not proved satisfactory to hon. Gentlemen opposite. In these few words I have explained to the House the changes I propose, and I shall have an opportunity of answering inquiries. Considering the immense importance of the discipline of the army, the great concession we now propose to make the decided opinion of many experienced officers that corporal punishment should be retained, and, I may add, the desire of many well-conducted soldiers that it should be retained, I hope a decided majority of the House will sanction the proposals I have now the honour to submit.

Mr. OTWAY said, the question was strictly as to Clause 22; but the right hon. Gentleman had discussed the clause he proposed to substitute, and he therefore inferred that he might discuss not only the clause to be substituted, but his own Amendment to it. It was with considerable regret he felt compelled to press that Amendment, because he fully admitted that the right hon. Gentleman had in a fair spirit announced concessions by no means inconsiderable. He gratefully acknowledged the courtesy with which not only the right hon. Gentleman but all his Colleagues treated all those who differed from them. But to his mind this question went beyond considerations of courtesy. The clause as he proposed to amend it, by making it declare that no soldier should be subjected to corporal punishment, would initiate a policy capable of acting most beneficially on the British army. But, by the clause as proposed by the right hon. Gentleman, an unnecessary and undeserved stigma would still be attached to the army. In the amended clause of the right hon. Gentleman there were matters which he did not think the Committee could possibly agree to. He had introduced an offence not previously named in the Mutiny Act, and he had most unnecessarily cast a reflection on the whole army by making an offence of an indecent character specifically a military offence. Another objection was that the smallest punishment a civilian convicted of such an offence could receive was fourteen years' penal servitude, and yet it was proposed to make an exception in favour of the soldier, who was to be punished by the infliction of fifty lashes. Having due regard to the honour of the military profession, the House could hardly pass the clause with these words in it. He had no objection to the proposal that every soldier of the first class should, for certain offences to be specified in the Articles of War, be degraded to the second class; but he thought the word "degraded" was not a good or happy expression. It was important that the offences should be specified; because the number of offences that were visited with corporal punishment had increased from three to seventeen since 1833. Then a question arose as to the process by which a soldier was to be "degraded?" Was it to be on the authority and by the power of the commanding officer, or was it to be by a military tribunal? The expression "an army in the field" was vague and uncertain, and not recognised by law. It might be a corn-field or a coal-field. As the preamble of the Bill spoke of "time of peace," the corresponding expression ought to be "time of war," or "active service." The use of the word "misbehaviour" seemed tautological when the offences were specified. He would now ask the Committee to consider his proposal. The right hon. Gentleman had made some remarks with reference to the small majority by which the Motion was carried the other evening; but he might remind the House that many of the most important measures ever passed in Parliament had been carried by a majority of 1, and it was a remarkable circumstance that the clause for flogging in the Mutiny Act was only carried by a majority of 2 in a House of 90 Members, in 1863 or 1864. The right hon. Gentleman ought not, therefore, to taunt hon. Members about the smallness of the majority the other night. He should ask the Committee to vote for the Amendment which he was about to propose, because they would be thereby supporting their own decision. He should propose to omit all the words after "flogging," and the clause would then be in exact accordance with the previous vote of the House. He did not see how any Member who had voted upon that occasion in favour of the Resolution could, without the greatest inconsistency, decline to support his Amendment. If the right hon. Gentleman would accept that Amendment, and would bring up a Resolution for the purpose of regulating the punishments to be awarded to soldiers when engaged in active operations, and while being conveyed on the sea in merchant vessels, he would meet with no unreasonable opposition on the part of Members of the House. He wished to say a few words on the subject of corporal punishment, though before doing so he wished to dismiss a question of a more personal character. He had noticed with some surprise, and with great regret, that on each occasion on which the subject of corporal punishment had been discussed the name of the Field-Marshal Commanding-in-Chief had been most unduly and unnecessarily introduced. When he brought forward the question he had refrained from mentioning the name of the Field-Marshal Commanding-in-Chief, not only because he felt convinced that his Royal Highness would be as much disposed as any man in that House to abolish flogging if he thought the discipline of the army could be maintained without it, but also because he was of opinion that the introduction of the name of the Field-Marshal Commanding-in-Chief into a discussion in that House on a question of military policy was a most injudicious and a most unfair proceeding. When the right hon. Gentleman the Secretary of State (Sir John Pakington), and the right hon. and gallant General the Member for Huntingdon (General Peel), paraded the name of the Commander-in-Chief as being entirely opposed to the abolition of flogging, could it be for one moment supposed that would not have an effect upon officers commanding regiments, and those in active service? There was not one who looked for promotion or favour at the Horse Guards who would not be influenced by it. ["No, no!"] Well, if not, military men must be very different from what he believed them to be, if, when informed that the man who was at the head of their profession entertained most decided opinions on a subject, they immediately set themselves in opposition to those opinions. Their ideas of discipline would of itself lead them to give way, when informed that his Royal Highness was against this or that, and therefore the introduction of his name into a discussion of this kind was unfair to the officers of the army. The opinion of his Royal Highness might probably be made known to the right hon. Gentleman the Secretary for War; but the right hon. Baronet should not come down and give the Committee that opinion to influence them in their decision on a question which they, as the representatives of the people, had a right to discuss on its merits, and on which they were not to be guided in their decision by the opinions entertained by Field-Marshal the Commander-in-Chief. More than that, great and important as was the position of the Commander-in-Chief, the only authority recognised in that House was the authority of the Secretary of State for War, who ought not to shelter himself behind the authority of the Field-Marshal Commanding-in-Chief. Two arguments had been used, in reply to which he desired to say a few words. The right hon. and gallant General (General Peel) had complained the other day of his proposal to make a distinction between a time of peace and a time of war. The answer was, that throughout the whole of the Mutiny Bill, and at the commencement of the clause, that distinction was recognised. Then other hon. Gentlemen had objected that if imprisonment were substituted for corporal punishment extra duty would fall upon the good soldiers, in consequence of the misconduct of the bad. That objection, however, was wholly inconsistent with the argument that corporal punishment was of extremely rare occurrence. But there was an argument against the system beyond all this—one which went to the very root of the difficulty of recruiting our army. Recruiting would never be successful until the profession was raised instead of being degraded in the eyes of the people. Flogging had been abolished in every great army in Europe and America, and why should it be retained in our own? In the division list the other evening he was astonished to find among the minority the name of the right hon. Gentleman (Mr. Walpole), who not long previously had entertained so high an opinion of the soldiers that he proposed to confer upon them the right of citizenship and a vote. In spite of this, however, the right hon. Gentleman was in favour of putting upon them a stigma which could not be inflicted upon any citizen. ["No!"] Well, it might be in the case of convicts, but he hoped no hon. Gentleman regarded soldiers as convicts. He implored the right hon. Gentleman (Sir John Pakington) to re-consider even now his position in reference to this question. The right hon. Gentleman had considered it with an unprejudiced mind, and in a fair spirit; and if he carried out his own intentions, he believed he would abolish corporal punishment altogether. He hoped the right hon. Gentleman would do so. It should be borne in mind that the question of flogging would not be finally settled, because the Mutiny Act was annually voted, and could not settle a question for ever, like the Reform Bill. This question could only be settled in one way. A new House of Commons was about to be called together, elected, he supposed, by household suffrage. Well, one of the very first acts of the new House of Commons would be to sweep away this corporal punishment, and he should like the present House to have the credit of doing that before they separated. Public opinion, the Press, and, as far as he knew, military authority, was in favour of the abolition of flogging. The hundreds of letters which he had received from every part of the country showed what interest the subject had excited, and all those letters urged him to persevere. He earnestly hoped that when the clause came under consideration the right hon. Gentleman would accept the Amendment of which he had given notice.

Colonel NORTH said, he was astonished at the remarks made concerning the introduction of the name of His Royal Highness the Commander-in-Chief into the discussion of a question of this nature. It was of the very greatest importance that the opinion of the officer at the head of the army should be known upon such a matter. He was surprised at the opinion given the other night by the hon. and gallant Member for Westminster (Captain Grosvenor), who, after citing his own corps—the First Life Guards—one of the best in the army, said——

Sir ROBERT ANSTRUTHER said, he rose to order. He wished to know whether the Committee were discussing Clause 22 with a view to negativing it, or whether they were discussing the whole question of flogging in the army?

The CHAIRMAN said, the question before the Committee was whether Clause 22 should stand part of the Bill. The Secretary for War (Sir John Pakington) had informed the Committee that it was his intention to say "No" to the Motion, in order that, at the end of the Bill, he might introduce a new clause on the subject of corporal punishment. Clause 22, however, raised the whole question of corporal punishment; and therefore he could not say that hon. Members were out of order in discussing that question, or in referring to what were the intentions of the Secretary for War with regard to the clause he proposed to substitute for the present clause. For the convenience of the Committee, however, he would suggest that Clause 22 should be negatived without further discussion, and they could then proceed with the other clauses of the Bill. At the end of the Bill the Secretary for War would propose his new clause, and hon. Members would be able to move the Amendments of which they had given notice, and which were being discussed now, without the possibility of being brought to an issue.

Captain VIVIAN said, he hoped that the suggestion of the Chairman would be adopted.

Clause 22 *negatived.*

Clauses 23 to 39, inclusive, *agreed to.*

Clause 40.

Sir HARRY VERNEY said, he moved to omit that part of the clause which exempted a soldier from the duty of supporting any relation whom he would be compelled to support if he were not a soldier. The exemption operated mischievously, and put a stigma on soldiers which it was desirable to remove.

Sir JOHN PAKINGTON said, that while he appreciated the good feeling evinced by the hon. Baronet, he was bound to resist the proposed alteration.

Amendment *negatived.*

Clause *agreed to.*

Remaining clauses *agreed to.*

Sir JOHN PAKINGTON said, he had now to submit to the Committee the clause which he proposed as a substitute for Clause 22. He substituted the Amendment of the hon. Member for Bedford (Mr. Whitbread), by which the words "aggravated insubordination" were replaced by the words "insubordination accompanied by personal violence."

(No Soldier of the First Class to be Sentenced to Corporal Punishment).

"Every Soldier shall upon enlistment be placed in the First Class of the Army, and no Soldier in such class shall, in time of peace, be sentenced to the corporal punishment of flogging; every soldier in the First Class shall, for the commission of certain offences, to be specified from time to time in the Articles of War, be degraded to the Second Class of the Army, and every Soldier in the Second Class shall be liable to be sentenced by court martial to corporal punishment, not exceeding fifty lashes, for the following offences—namely, mutiny, insubordination accompanied by personal violence, or disgraceful conduct of an indecent kind; every soldier, when serving with a military force in the field or on board ship shall be liable to a like punishment by court martial for any of the offences before enumerated, or for desertion, drunkenness on duty or on the line of march, misbehaviour, or neglect of duty."

He had already explained his reasons for introducing the clause, and would not therefore again trouble the Committee.

New Clause, instead of Clause 22 (No Soldier of the First Class to be sentenced to corporal punishment,) — (*Sir John Pakington,*)—*brought up*, and read the first time.

COLONEL NORTH said, he wished to ask whether it was really intended that no soldier should be liable to corporal punishment as long as he was in the first class? There were many cases of the worst possible kind of insubordination that might be committed on a line of march, such as instigating a regiment to mutiny or knocking down a commanding officer. He wished to know whether a man who had been guilty of one of those offences was not to be made a signal example of merely because he occupied a place in the first class. He thought there must be some mistake in that.

MR. OSBORNE: Read the end of the clause.

COLONEL NORTH, in continuation, read the concluding portion of the clause, and observed that they ought to be told what was the meaning of the words "misbehaviour or neglect of duty" at the end of the clause. Every soldier knew what was meant by an army in the field; but he wished to know what was to be done in the case of such troops as those at present engaged against the Fenians in Canada or in Ireland; and whether one of those men, if he should have knocked down his commanding officer, was not to be liable to corporal punishment? His hon. and gallant Friend the Member for Westminster (Captain Grosvenor) had, on a former occasion, admitted that there were very grave cases of insubordination in the army; but he said that the remedy must be found in something else than the lash. He had been excessively sorry to hear his hon. Friend the Member for Chatham (Mr. Otway) allude specially to one side of the House, for the question was one, not of party, but of what was best for the benefit of the country. It was said that in the matter of discipline we ought to follow the example of foreign countries. Well, on one occasion when he was at Paris he met a number of troops returning towards the city, which led him to ask whether there had been a review. "Oh, no," was the answer; "we have been to shoot one of our men." For what crime? "For knocking down a non-commissioned officer." Were we to relinquish the system of flogging in the British army and adopt the Continental—of shooting every man who knocked down a non-commissioned officer? Periods of punishment again were punishments not so much of the offender as of the other men who had to perform the extra duty. The example of the Prussian army had been cited; but of what materials was that army composed? Was it likely that in this country regulations would ever be adopted compelling every gentleman to serve whether he liked it or not. A system of voluntary service gave us, of course, very different materials; but it was gratifying to reflect that the non-commissioned officers who issued from the ranks were second to those of no other country for gallantry and conduct. He understood the Secretary of State for War to have said that out of 100 men there were ninety-one of the first class, and nine only of the second. Was it intended that those ninety-one men should, under no circumstances, be liable to corporal punishment?

MR. HEADLAM said, the first observation he had to make was that although the powers conferred by the Mutiny Act were very large with respect to corporal punishment, and the discretion very wide, yet, from his experience while holding the office of Judge Advocate General, he believed that those powers were practically exercised with very great discretion, and that the cases in which flogging was inflicted—assuming such a punishment to be right—were exactly those in which it ought to be administered. The fact was that the powers given by the Mutiny Act had been much limited by the regulations issued under the authority of the Crown, and also by the good sense and discretion of the commanding officers of the different regiments. Those regulations never had the force of law; and he was desirous of mentioning that, because it was asserted that there had been many instances in which men in the first class had been subjected to corporal punishment contrary to the regulations. It was true there had been a few cases of that kind. But they occurred very shortly after the regulations were issued, before they had become known, and the cases were very few in number. Wherever he had met with such cases he had of course commented upon them. For all practical purposes, those regulations were strictly enforced in the army. He had not himself officially had the means of ascertaining whether soldiers who were flogged afterwards behaved the better for it, or what was its effect upon the rest of their corps. But he had had the opportunity of conversing on the subject with military men of great experience, and he found them to be nearly unanimous in the opinion that corporal punishment, under some circumstances, was absolutely necessary for the maintenance of the discipline of the army. The cases for which it was inflicted were those in which it appeared, on the face of the transaction, that the men to whom it was administered had no habits of self-control, were exceedingly violent and insubordinate, and very difficult to deal with. Another class of cases in which it was administered was where soldiers had stolen from their own comrades. There was also a third category of such cases to which it was not necessary further to allude. Looking at the matter in the light of the human suffering involved, it was rather difficult to say whether corporal punishment, or sentences of imprisonment perhaps for long periods, and often including solitary confinement, were the worse; and he could not say that he was able to give the House a strong opinion on the subject. But there was this great objection to corporal punishment, that it went against the sensibilities and the tendencies of the public mind in this country. If it ceased to exist, the army might possibly become more popular, while a stronger sense of professional honour might be introduced into its lowest ranks. He had no doubt that it had considerable effect in deterring men from entering the army. There was hardly a village in England from which young men had not enlisted; but there were few village families that took pride in the fact that one of their members had enlisted for a common soldier. How far that feeling was produced by the flogging it was not for him to say. What he should have preferred on that matter was that his hon. Friend (Mr. Otway) should not have moved the actual omission of that clause, but that the Secretary of State for War (Sir John Pakington) should have come down and stated, on the part of the authorities of the army, that they recognised fully the feeling of the House on that subject; and that, though they did not think it would be prudent altogether to give up the power of flogging, it was their intention to exercise it only in cases of extreme urgency. The proposed new clause was very vague and uncertain. It spoke of offences "to be specified from time to time in the Articles of War." This was not clear. It ought to be made as clear as noon-day, so that every recruit might easily know, without being obliged to consult any other document, what circumstances would bring him within the limits of that particular punishment. The clause, in its present form, proposed to retain corporal punishment for mutiny and aggravated insubordination attended with personal violence, but to abolish it in all other cases. Assuming it to be true that it was still necessary to retain it with the view of suddenly putting down a mutiny, then the punishment should be equally applicable to all engaged in the mutiny. He could not, however, understand on what principle it was that nine-tenths of the army — for that was the proportion, according to the right hon. Gentleman, in the first-class—might commit acts of mutiny, and yet that it should not be deemed necessary to flog them while flogging was maintained to be indispensable under similar circumstances in the case of the remaining one-tenth. If it was not necessary to flog any of the larger class it would appear not to be necessary to flog at all. He also found some difficulty in understanding the last part of the clause, in which it was set forth that—

> "Every soldier, when serving with a military force in the field or on board ship, shall be liable to a like punishment by court martial for any of the offences before enumerated."

Did the words "every soldier," he should like to know, mean every soldier in the first and second class? [Sir JOHN PAKINGTON: Yes, in time of war.] But the words "on board ship" had no immediate connection with a time of war, so that every soldier in the first and second classes in time of peace on board ship would "be liable to a like punishment;" and how that proposal was to be reconciled with the first part of the clause, in which it was laid down that no soldier in the first class should in time of peace be sentenced to be flogged, he was at a loss to understand. The clause, in fact, was not sufficiently distinct or precise; yet if ever there was a matter in which the language should be free from ambiguity, it was this. If corporal punishment were to be tolerated in any case, he would prefer to see substituted for the proposed clause one in which it was shortly and clearly laid down that in time of peace corporal punishment should not be inflicted except for the offences of mutiny and aggravated insubordination, accompanied by violence, without any reference to classification. A general power should also be given extending the punishment to other offences in time of war.

SIR ROBERT ANSTRUTHER said, be believed that both sides of the House agreed in the opinion that the punishment of flogging was almost as degrading to the men who witnessed as to those who suffered it, and that its effect on the men who were flogged was anything but salutary. There could be no doubt that it ought to be abolished; and if it were retained, it was only because the service was not at that premium at which it ought to be. The commanding officers ought to be empowered to say that the man who committed a crime for which he deserved to be flogged should be discharged, and that discharge ought to be regarded as a disgrace to him. He thought the concession which had been offered by the Secretary for War (Sir John Pakington) was one which ought to be accepted, and he would suggest the withdrawal of the Amendment of the hon. Member for Chatham (Mr. Otway).

MR. HORSMAN: My right hon. Friend the Secretary for War began his speech by vindicating himself from the charge which he imagined—I think erroneously—was made against him of having treated the House with disrespect in not giving effect to the Resolution at which it arrived a few nights ago. All the circumstances of the case being taken into consideration—that the majority was a very narrow one in a small House, that the division came somewhat suddenly upon him, and that the change proposed was one to which he could not well assent without taking counsel with the military authorities—he was, in my opinion, perfectly justified in not acting on the Resolution without giving us, as he did very fairly, an opportunity of re-considering the matter. I, at the same time, must say that when it is taken into account that this is a question on which, as he must know, public opinion is growing very strong—if it be not altogether ripe—he would, in my humble judgment, have acted more judiciously, especially as he told us he has been in communication with the military authorities on the subject, if he had informed the House that he foresaw he could not long resist the tide of opinion which was rising against the infliction of corporal punishment. There can be no doubt that out of doors, at all events, corporal punishment in the army is looked upon as a punishment at once brutal and degrading. It might be tolerated in the days when the army was recruited from the dregs of the population; but it is not in harmony with our times, and does not accord with the spirit of the age. Though to-night the clause which my right hon. Friend proposes may be agreed to, yet he must remember that this Mutiny Bill will be, as the hon. Member for Chatham told him, an annual topic of discussion, and this question will be made the subject of annual debate. The probability, therefore, is that no Government will be able to maintain corporal punishment beyond another year. I would throw out for the consideration of my right hon. Friend whether it is well, by the retention of this punishment, to bring odium and unpopularity on the military authorities without any corresponding advantage? Public opinion, as I said, is opposed to the infliction of this punishment, and no opinion, I venture to contend, unless it be that of the military authorities, is in its favour. In speaking of the opinion of military men, I would not be misunderstood. No men are, I believe, more generous or humane as regards their fellow-creatures generally, while the soldiers under their command are to them objects of peculiar care and solicitude. They know their good qualities, they are proud of their loyalty, and they would do as much as any other class of men to raise their character. When, therefore, I speak of them as being in favour of corporal punishment, I am simply making a remark which applies to men of any profession, who, when any change affecting their profession is proposed, are liable to look on the proposal with a narrow vision, to prefer the familiar to the unknown, experience to experiment, and to regard any alteration as tending to unsettlement and uncertainty. I think we ought not to have had the name of the Commander-in-Chief so prominently brought forward in this discussion. The Duke of Cambridge is very popular, and deservedly so, both with the army and in this House; because we know that, while devoted to his profession, he is, more than any other man who has filled that important office, disposed to feel that the army ought to be popular as well as efficient, and to give his best attention to any suggestions that may be made for the welfare of the soldier. But I certainly think that if this Motion is to be resisted, if any unpopularity and odium are to be faced—as must be the case if this question has to be discussed from year to year—the Government ought to take it upon themselves. I should be very sorry, therefore, if we should again have a letter brought down, written by the Commander-in-Chief, and read with an effect which I do not believe my right hon. Friend intended to produce, for he indicated his personal feeling against corporal punishment, but stated that in the face of that letter he could not consent to the Motion.

SIR JOHN PAKINGTON: I have no recollection of having given any opinion beyond saying that I should be pleased if the punishment could safely be abolished.

MR. HORSMAN: The right hon. Gentleman certainly indicated the opinion which he held; for no one could have heard his speech without perceiving that his feeling was strongly against corporal punishment, though he said that after receiving that letter he could not consent to the Motion. I feel sure that the impression which was produced by the reading of that letter was unintentional on his part; for if an unpopular system is to be kept up, it is hardly fair or judicious to put the Commander-in-Chief in the front, and make him bear the brunt of that unpopularity. The objection to the proposal of my hon. Friend (Mr. Otway) is based partly on argument and partly on apology. The argument, if it can be so called, is that the discipline of the army must be kept up. We all admit that; but the question is, whether or not this is a mode of punishment which tends more than any other to keep up that discipline. My right hon. Friend (Sir John Pakington) said just now that he listened attentively to the debate the other night, and did not hear any substitute suggested for this punishment. He himself, however, gave an answer to that remark; because he said he intended to abolish it, except in 9 per cent of the whole army. He cannot intend that the remaining 91 per cent—the men in the first class—shall go unpunished. He must, therefore, have decided what the substitute is to be, and what punishment they are to undergo for the same offences for which the other 9 per cent are to be flogged. Why not, then, apply that substitute to the latter also? The argument that corporal punishment is essential to the maintenance of discipline we meet by facts. A very strong fact has been already referred to—namely, that in some of the Household regiments corporal punishment is not inflicted, and yet those regiments are as well disciplined as any in the service. I have been reminded, too, of another force which is not, indeed, part of the army, but is a military force in its character and organization—the Constabulary of Ireland. They are a well disciplined force, 12,000 strong, but there is no flogging; and if its introduction were attempted, the force would fall to pieces. It is said, however, in reply to the inquiry, why discipline cannot be kept up without it as well with the 9 per cent as with the 91—that those 9 per cent consist of an entirely different class of men; that they are the scamps and reprobates of the army, and that no other punishment would have any effect upon them. I will deal with that presently. The late Judge Advocate (Mr. Headlam) said he would retain flogging for violence, aggravated insubordination, and some other offences. But he did not tell us why it was specially applicable to those cases, or would be more effective in them. As for the amended clause, I do not see any practical difference between it and the original clause. Either corporal punishment is proper and effective, or it is not. If it is, you ought to continue it for all offences under the old Mutiny Act. If it is not, you ought to abolish it entirely. By discontinuing it for one class of offences and retaining it for another, you either do too much or too little, and you thus give up your own case. For what purpose is it to be retained for this 9 per cent? Is it that you wish to reform them, or that you wish to deter them? Two Returns have been presented to the House, one giving the cases in which corporal punishment was inflicted from 1862 to 1865, and the other stating the subsequent conduct of the men who were flogged. This very valuable information, what does it show? Did any good result from the flogging? In almost every case a man who is once flogged becomes a confirmed reprobate, the first punishment being soon followed by another. I have taken the trouble to analyze a single page of the Return, in order to show what the effect of the punishment is. The first case is that of a soldier who was brought before a court martial on the 2nd of December, 1862, for disgraceful conduct and for making away with necessaries. He was sentenced to fifty lashes, six months' hard labour, and stoppage of pay, the whole being carried out. On the 11th of June, 1863, as soon as the six months had expired, he was again tried and again sentenced to fifty lashes, six months' hard labour, and stoppage, the whole being carried out, with the exception of seventy-six days' hard labour. The week in which that sentence expired he was a third time sentenced to the like punishment, in that instance, however, the flogging being remitted. A fourth time he was tried, and condemned to six months' hard labour and stoppage; and on the 22nd of October, 1865, he was again sentenced to fifty lashes and 252 days' hard labour, with stoppage, the whole of which was carried out. So that this man in less than three years comes before five courts martial, is four times sentenced to be flogged, and actually undergoing it thrice, and is condemned to 982 days' hard labour, of which 766 are carried out, he being the whole time under stoppage. [An hon. Member: What were his offences?] The first was disgraceful conduct and making away with necessaries; the second, absence and making away with necessaries; the third, making away with necessaries; the fourth, absence and making away with necessaries; and the fifth, absence and insubordination. The hon. and gallant Member for Oxfordshire (Colonel North) told us the other night that there was a difficulty in substituting another punishment, because while a man was undergoing it some of his comrades would have to perform his duty; but here is a man who for three years had not done a week's duty, being the whole time under punishment. Surely, as the hon. Member for Fifeshire (Sir Robert Anstruther) has suggested, it would have been a great benefit to the service had this confirmed reprobate been turned out at once. The second case is that of a man who, in less than three years, was five times before a court martial, and was sentenced to flogging and 462 days' hard labour, as well as to 1,312 days' stoppage of 1*d.* a day. In another case, a man was seven times before a court martial, and sentenced to four floggings. The floggings were inflicted three times, and he received 150 lashes. He was also sentenced to imprisonment with hard labour, and to stoppages of 1*d.*, his imprisonment lasting altogether 1,008 days. Another man was before six courts martial, was flogged three times, had 999 days' hard labour, was subjected to stoppages of 1*d.* for 2,688 days in all. These cases are all in one single page of the Return, and I put it to the House whether, in every one of these cases, it would not have been a saving to the public if the men had been dismissed from the service. They were continually in prison, and the country derived no good from their services. I heard my hon. and gallant Friend say that, if you do away with corporal punishment, you must give facilities for discriminating between the good and the bad men. Well, who objects to the authorities being furnished with any facilities that may be necessary? Gentlemen on this side of the House will feel it their duty to assist in getting rid of the men who disgrace the army. They are the men whom it is painful for the good soldier to associate with, who demoralize the new recruit, and keep better men out of the army. You have a positive difficulty in getting recruits, and the reason is because you retain these bad men, who are small in number, but who lower the standard of the army. If you dismiss them, you will get good men in their place. The fact is that the real mode of raising the discipline of the army is by raising its character, and thereby attracting men to the service who will take a pride in their profession; but nobody ever heard of the pride of a flogged soldier. It has been said that it is necessary for the preservation of discipline that the system of flogging should be upheld; and the Secretary for War says that it is only a very small number who get the punishment. Then it would appear that for an infinitesimal amount of benefit this scandal and reproach to the whole service is maintained. The Judge Advocate rather disputes the assertion that this mode of punishment is not in keeping with the spirit of the times. He points to our recent legislation, and says that we have passed an Act for flogging juvenile delinquents and garrotters. Yes, but the English soldier is neither a juvenile delinquent nor garrotter. The case of juvenile delinquents comes home to the experience of all of us. We have all been juvenile delinquents; but then there is a great difference between boys and men. In the case of a boy flogging is only a local application; but in the case of the soldier, flogging is followed by feelings of wounded pride and degradation ten times more painful than the physical operation. We are asked whether we would do away with the punishment altogether.

We admit that in time of war, on board ship, on the line of march, and in campaign, you must adopt it, because there is no other mode of punishment available; but we declare that it is the worst of all punishments. This is no longer a question of argument, but it is one of those questions which will be decided by public opinion. When public opinion bears strongly against any practice, a change of system is but a question of time; and in this case I predict that it will be a question of short time. The change would be accepted thankfully if it were at once adopted; but, if it be long postponed, a time will come when the Government will acquire odium and unpopularity, and will be compelled to do by the force of public opinion that which they might now do gracefully and easily. I therefore call on them to give this matter their most serious consideration, so that when they come to discuss this subject next year they may be in a position to do that which will gain both popularity and efficiency to the army and satisfaction to the country.

MAJOR JERVIS said, that some years ago, when this subject was brought forward by the hon. Member for Brighton (Mr. White), he (Major Jervis) had stated that flogging had to be retained because the House of Commons would not vote the necessary money for weeding the army of bad characters. What was the state of the case at the present moment, it not being a question of facing an enemy, but the country being at peace? He had asked the right hon. Gentleman the Secretary for War whether it was proposed to give the military authorities more power to get rid of felons and men who had been guilty of disgraceful conduct? The reply was, that it was not intended to give the military authorities any more power than they possessed at present. It was quite true that the Articles of War stated that no man should be dismissed the service except by sentence of a court martial or by the order of the Commander-in-Chief. But, in point of fact, though the Commander-in-Chief had the control of the discipline and of the promotion of the army, he had nothing to do with the financial affairs of the army, as the War Office took good care, for the sake of the saving, that men should not be dismissed. They looked to the cost. That was really the essence of the whole question. They would have to pay a man to supply the place of the discharged one. According to the Estimates they would be called upon to pay £18,000 this year for the maintenance of the law by court martial; but in truth that was but a small portion of the real expense, for the pay of the men in prison went towards this vote, and the real cost was £90,000 per annum. Now, what would be the cost of discharging a few bad characters compared with this enormous expense? According to the last Report there were between 5,000 and 6,000 soldiers in military prisons; of these, 5,000 were returned as of good, 600 of indifferent, and 600 of bad character. So that it was for the sake of these 600 bad men that the objectionable clause would be introduced. The right hon. Gentleman the Judge Advocate had defended the clause on the ground that we flogged our garotters, our juvenile offenders, and those who fired at the Queen. Well, but these were not the sort of men that we wanted in the army. The sooner they were got rid of the better. The right hon. Gentleman said, also, that unless flogging were maintained the non-commissioned officers would not be safe. A friend of his, since that statement was made, had asked every non-commissioned officer in his battalion whether they thought flogging necessary to maintain their authority, and every one of them replied that they would be sorry to maintain it at that price. The case brought forward by the hon. and gallant Member for Truro (Captain Vivian) of the man of disgraceful character in one of the regiments of the Guards, one of the greatest blackguards on the face of the earth, whom every effort had been made without success to get discharged, had struck consternation everywhere. It was incredible that the character of the army should be sacrificed in this manner for the sake of the three guineas that had to be given as bounty to recruits. The British soldier had a right to demand that his comrades should be men whom he was not ashamed of, not men fit only for the hulks. He should not object to preserving the power of inflicting corporal punishment in the case of troops on board ship, as some commanding officers seemed to think it necessary, though he had had some experience of men in that position, and he had never seen it had recourse to. Then it was argued that the other punishments now employed in the army were not sufficiently stringent to render it safe to do away with flogging. But in the last Report of the Inspector General of Military Prisons for 1864, a hope was expressed by Colonel Henderson that the increased stringency which it was proposed to introduce into our military prisons would render confinement in them a sufficient punishment for all offences committed by soldiers whom it was in any way desirable to retain in the service; and that all who, by the heinousness of their offences, had incurred the penalty of penal servitude, might never again be considered eligible to enter the service. All he asked was that the commanding officer should have the power, with the consent of the Commander-in-Chief, of discharging men of disgraceful character from the service; and he was confident that a few thousand pounds would cover all the expense. Men were not likely to commit disgraceful offences in order to get discharged. He would even have no objection to continuing the punishment of flogging in certain cases, on condition that dismissal from the service followed it. Under the present system, when they had caught a blackguard they did their best to keep him; or they were so stingy that they would not get rid of him. What did it cost them? He believed it was the most expensive policy that could be followed. Men of this character were all their time either in prison or in hospital. If they went on foreign service they died like rotten potatoes, and other men had to be sent in their place. Commanding officers, inspectors of prisons, medical officers, all agreed in saying that you could never get a day's work out of such men, of whom there were between 1,000 and 2,000 in civil prisons, besides those in military prisons, who ought never to have been admitted into the army at all. For these reasons, he should feel compelled to vote against the clause as it at present stood; but he thought it might be altered to embody the views he had expressed.

Mr. MOWBRAY said, he wished to say a few words on the present occasion, some remarks he made the other evening having been referred to by his right hon. Friend the Member for Stroud (Mr. Horsman) and his hon. and gallant Friend the Member for Harwich (Major Jervis.) His right hon. Friend was mistaken in supposing that he had referred to the Act for punishing juvenile offenders. His argument was that just as they had revived the punishment of corporal punishments in the case of firing at Her Majesty and in the case of garrotters, so in the British army, as in society at large, there was a number of persons of desperate character and unbridled passions for whom this punishment was necessary. It was asked by his hon. and gallant Friend, "Why not give power to commanding officers to discharge these men?" But already courts martial had the power of discharge; the Commander-in-Chief had the same power; the commanders of the forces in Ireland and in the colonies had the same power. But in addition to the great expenses occasioned by discharges well known to military men, and the difficulty of obtaining recruits, what would happen? The arguments now used against flogging would, on the score of humanity, be used against branding; and if those discharged were not marked "B. C.," they would re-enlist, get fresh bounty, and would never be got rid of. His right hon. Friend the Member for Newcastle (Mr. Headlam) had raised two objections to the clause—the first in point of substance, the second in a matter of form. In point of substance, he said, if the power were preserved it should be preserved for all classes. But the object of the clause was to give the good recruit, whom he hoped to attract to the service, that absolute immunity under all circumstances to which Lord Herbert pledged Parliament six years ago. Under no circumstances could the recruit entering the army, or so long as he continued in the first class, be sentenced to this degrading punishment. There were not only two classes of soldiers, but two classes of offenders; and it was only when offenders came under the second class that they were liable to be degraded. The objection to the wording of the clause, founded on the apparent inconsistency between the beginning and the end of it, would be obviated by the insertion of the words—

> "Providing that no soldier in such class shall in time of peace be liable to corporal punishment, unless he is serving with a military force in the field or on board ship."

These words would, he thought, meet the verbal objection that had been taken to the clause.

The Marquess of HARTINGTON: The arguments against and in favour of this punishment have been so fully stated on both sides that it was not my intention to offer any observations on the present occasion. But it seems to me the Committee is placed in rather a difficult position by the speech of the right hon. Gentleman who has just sat down. It is difficult to collect exactly what is the intention of the Government with reference to the various Amendments to be moved to the proposal of the Government. My right hon. Friend the Member for Newcastle (Mr. Headlam) stated with great clearness the objections felt to the form in which the clause is put; and I do not quite understand whether the right hon. Gentleman (Mr. Mowbray) intends at any future stage to alter the clause so as to remove those objections. I must say it appears to me that to maintain that all soldiers shall be divided into two classes, and that under no circumstances shall this punishment be inflicted on those in the first class, is calculated to take away almost all utility in the punishment. If the Government assent to the proposal —leaving out the third offence, as probably they may—it will not be possible to punish by flogging during peace except for mutiny and aggravated insubordination—and only one-tenth part of the army even in those cases. If that be all that is intended, I really think it is scarcely worth while to retain the clause at all. But, although I feel this objection to the clause brought forward by the Government, if a division be taken on the second reading of it I must go out in favour of the clause. I am unwilling at present to abolish by law the punishment of flogging, which I think is almost the only punishment that can be inflicted in time of war, and which I also think is an appropriate one, and ought to be inflicted in cases of mutiny and aggravated insubordination. I think that this clause is faulty; but it may be improved after being read a second time. Under these circumstances, if the matter is brought to a division, I shall vote for the second reading.

General PEEL: I expressed my own opinion the other evening as strongly as possible upon the advisability of retaining the power of flogging in the army; and therefore I should not have risen upon the present occasion had it not been for the observations of the hon. Member for Chatham (Mr. Otway), repeated by the right hon. Gentleman (Mr. Horsman), as to dragging into the discussion the name of the Commander-in-Chief. If there be any impropriety in the manner in which the Commander-in-Chief's letter has been laid before the House I am responsible for it; because no sooner did the hon. Member for Chatham give notice of his intention to make a Motion upon this subject, than I, as the then Secretary of State for War, wrote an official letter to the Commander-in-Chief, who, as such, is responsible to the Secretary of State for War for the discipline of the army, requesting him to inform me whether, in his opinion, it was possible to do away with the system of flogging in the army without interfering with its discipline. I confess I should have been most happy had the reply of the Commander-in-Chief been such as would have enabled me to have informed the House that he thought that the punishment of flogging could be done away with without interfering with the due discipline of the army. The letter which has been laid before the House is an official letter written by the Commander-in-Chief to the Secretary of State for War on the subject of the discipline of the army, and I should like to know what more proper evidence on the subject could be adduced. But in addition to this evidence, there was the opinion of the Adjutant General, who said he could not hold himself responsible to the Commander-in-Chief for the discipline of the army were this punishment abolished. In certain cases, even in time of peace, such as when troops are on board transports, or when they are in the field, as they have been in Canada, I am informed that it is almost absolutely necessary to retain this system of punishment. I agree, however, with the view taken by the late Judge Advocate General (Mr. Headlam), that if the punishment of flogging is to be retained in cases of mutiny and of gross insubordination, the punishment should be inflicted upon offenders without distinction of class. If a man is a mutineer, or is guilty of gross insubordination, he should be flogged, whether he be in the first or the second class.

Mr. HORSMAN: I rise for the purpose of explaining that, while I expressed myself as being of opinion that it was very unfortunate that the name of the Commander-in-Chief had been introduced into this discussion, I did not make use of the word "indecent," nor of any word to the same effect. I thought that the Government ought to have acted on their own responsibility.

Sir JOHN PAKINGTON: I wish to say a few words in reply to the observations made by hon. Members in the course of this discussion. With reference to what has been said as to the division of the army into two classes, I have made no change whatever in that respect. The only change I have made is that, whereas at present the men in the first class are exempt from being flogged except for mutinous conduct, I have proposed that men in the first class should be exempted from corporal punishment altogether. It is for the House to say whether they approve this change, or whether they desire that this system of punishment shall be retained for mutineers, whether in the first or second class. I have also proposed that even in the second class corporal punishment shall be limited to the three offences named. The hon. Member for Chatham appears to think that I have impugned the character of the army by naming the third of these offences as deserving of flogging. But the Articles of War have for years directed that corporal punishment shall be inflicted for offences of this description. It has been suggested that we should make dismissal from the army a substitute for the punishment of flogging. But it has been found to be necessary by one of the Articles of War to specify the punishment that shall be inflicted upon men who shall intentionally maim and injure themselves—to the extent sometimes of injuring their eyesight, in order to get turned out of the army. Under these circumstances, when I find that men will wilfully injure themselves in order to get turned out of the army, I think we must hesitate before we adopt dismissal from the service as a substitute for flogging. With regard to objections that have been taken to the wording of the clause, it has been drawn up by the legal adviser to the War Office, and I see no reason to alter it, with the exception of that part which refers to men "on board a ship," which should read "on board a ship not in commission." When men are shut up on board a transport it is impossible to subject them to the ordinary punishments that can be administered on land. [An hon. MEMBER: Is this to apply in time of peace?] Certainly. I think that I have made a very large concession by this clause. Should the House feel that the concession to the first class is too large, they have it in their power to determine how far the punishment shall be retained as regards this class. I confess I would rather keep the clause as it now stands, than introduce any alteration in it. I am in favour of exempting the best men in the army from corporal punishment altogether, and of limiting that punishment to those who by their misconduct have reduced themselves to the second class.

SIR GEORGE GREY: I intend to vote for the second reading of the clause; but I do not wish it to be understood that by so doing I pledge myself to the clause as it stands. I hope the right hon. Baronet will fully understand that I only assent to the clause being read a second time in the hope that it will be improved before it is finally laid before us.

Motion made, and Question put, "That the said Clause be now read a second time."

The Committee *divided:*—Ayes 225; Noes 131: Majority 94.

MR. OTWAY said, that as this question had been fully discussed, he did not think it desirable to trouble the Committee with further observations. All he asked the House to do was to affirm their Resolution; and he proposed to modify the clause, so that it should read—

> "Every soldier shall on enlisting be in the first class, and no soldier shall in time of peace be sentenced to the corporal punishment of flogging."

He asked the Committee to remember the words of one of the greatest statesmen the country had ever produced—Lord William Bentinck—who, when he abolished flogging, conjured the officers of the army to relieve themselves as he had done of an unworthy prejudice. He hoped the right hon. Gentleman would accept the Amendment he had proposed, to restrict the punishment of flogging to the time of war—not to inflict it in time of peace.

Amendment proposed, in line 2, to leave out after the words "soldier" until the word "shall" in the same line; and after "flogging," in line 3, to leave out the remainder of the clause.—(*Mr. Otway.*)

SIR GEORGE GREY said, that if flogging were to be restricted to the two offences, as he thought it ought to be, he would ask the right hon. Gentleman (Sir John Pakington) whether it was necessary to keep up this classification? If flogging were necessary at all as a punishment for mutiny and insubordination, accompanied with personal violence, it was equally applicable to any soldier, independent of classification. He therefore proposed to omit the first words of the clause, "Every soldier shall, upon enlistment, be placed in the first class of the army;" and he should also propose to omit the third offence as one for which flogging should be inflicted.

SIR JOHN PAKINGTON said, he had already explained that in the proposal respecting classification he merely adhered to the existing practice. For seven years the army had been divided into these two classes, and the Committee ought hardly to do away with this broad distinction between the well and the ill-conducted men without notice. Still, the argument used by the right hon. Baronet (Sir George Grey) was a very strong one, and he should not be prepared to join issue with him.

COLONEL PERCY HERBERT said, there appeared to be some misapprehension as to the practice existing in the Prussian army. An officer who had written to him on this subject, said—

> "I have by me Witzleben's book on the organization of the Prussian army, edition of 1864, by which it appears that the Articles of War then in force treated flogging as one of the minor punishments, to which any soldier of the second class was liable without trial. The colonel of a regiment could summarily award thirty strokes of the cane, or forty if the offender was undergoing punishment of hard labour, or was in a so-called punishment section. Any subordinate officer, if on detached command, could award fifteen."

This statement of the law was confirmed by an officer who was present with one of the Prussian corps during the late campaign.

MR. LOCKE said, the Amendment of the right hon. Baronet (Sir George Grey) was really a retrograde movement, which would do away entirely with the concession made by the right hon. Gentleman (Sir John Pakington) that under no circumstances should any soldier in the first class be flogged.

MR. HEADLAM said, that according to the Queen's Regulations every soldier was liable to flogging for mutiny. That was the existing state of the law, and soldiers were only divided into classes with respect to crimes concerning which it was proposed to take away the punishment of flogging altogether.

Amendment *negatived.*

MR. OTWAY said, he must congratulate the Government upon their "whip," and would not put the Committee to the trouble of dividing on his Amendment. The result was that no concession had practically been made. Next year, if he were in the House, he would again bring the subject forward on the bringing in of the Mutiny Bill, and he was convinced that the days of flogging in the army were numbered.

MR. KER said, he was either unfit to understand the course the proceedings had taken, or they were of a very unusual nature. He hoped that somebody would explain what had taken place.

Sir John Pakington

SIR GEORGE GREY said, that the offences for which degradation was to be inflicted and the authority by whom it was to be done were not specified. He wanted to know was it to be done by the mere will of the commanding officer, or was the degradation to take place only after conviction by a court martial? He wished for some explanation of the views of the Government.

SIR JOHN PAKINGTON said, his proposal undoubtedly was to retain the division into classes, and to exempt the first class. But after the discussion which had taken place, he believed it to be the opinion of the great majority on both sides that it would not be prudent to part with this punishment for cases of mutiny and gross insubordination even in the first class.

CAPTAIN VIVIAN said, they had got into such confusion that the best plan was to report Progress, and he would move that the Chairman be ordered to do so.

MR. LOCKE said, he wished to know how the clause really stood.

SIR GEORGE GREY said, he would move, in the third line, after the words "first class," to omit the word "shall" in order to insert the word "may," his object being that the degradation should not be made imperative.

MR. OTWAY moved to report Progress.

SIR JOHN PAKINGTON said, that in the present state of the matter there would be considerable difficulty in bringing this question to a conclusion. The clause ought to be most seriously considered, and as there was no chance of doing that now, he thought the best course would be to agree to the Motion that the Chairman report Progress.

Motion *agreed to.*

Committee report Progress; to sit again upon *Monday* next.

BRIDGES (IRELAND) BILL—[BILL 86.]

(*Mr. Solicitor General for Ireland, Lord Naas.*)

SECOND READING.

Order for Second Reading read.

LORD NAAS moved the second reading of this Bill. He said, that its objects were to correct certain defects in the Act by which bridges in Ireland were now erected and managed. Powers were given by this Bill for the purchase of private rights, tolls, ferries, and the like. The time, too, for the repayment of money was extended, and among other powers the grand juries were authorized to apportion the cost of the bridges according to the benefits conferred upon the respective districts. A power of appeal was given, and a clause was inserted by which it was provided that certain proceedings already taken by the grand juries of Wexford and Kilkenny, in reference to the New Ross Bridge, should remain as substantial proceeding taken under the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord Naas.*)

MR. SYNAN said, he thought some of the provisions of the Bill equitable enough; but he objected to the property being vested in the Commissioners of Works instead of in the grand juries, by whom the expenses would be defrayed.

MR. LAWSON said, he thought that the House had not received a satisfactory explanation of the Bill, which, involving, as it did, large taxing powers and powers for the compulsory purchase of private property, was one of great importance.

MR. AGAR-ELLIS said, he hoped that the second reading of what was a most important Bill would not be opposed.

MR. CHILDERS said, he wished to inquire whether the Secretary to the Treasury had seen the Bill, and whether he knew that it affected his Department? He protested against the Treasury being made any further responsible for carrying out local works in Ireland, which should be done by the local authorities.

MR. HUNT said, he was not aware that any clause in the Bill affected the Treasury.

SIR COLMAN O'LOGHLEN said, that after the statement of the Secretary to the Treasury, the debate ought to be adjourned. The Bill had only been delivered that morning, and hon. Members had not had time to consider it. He moved that the debate be adjourned.

COLONEL TOTTENHAM said, he must oppose the Motion. The Bill was one of great emergency, and if there was any objection to its details they could be considered in Committee.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir Colman O'Loghlen.*)

LORD NAAS said, he hoped the House would give the Bill a second reading. He would promise ample opportunity to hon. Members for making Amendments upon a future stage of the Bill. With regard to what had been said with respect to the Treasury, the Bill threw no further liability on the Treasury beyond what was imposed by the 3 & 4 *Will.* IV.

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

RELIGIOUS, &c., BUILDINGS (SITES) BILL.

(*Mr. Hadfield, Mr. Bazley, Mr. Akroyd, Mr. Leeman.*)

[BILL 64.] CONSIDERED AS AMENDED.

Bill, as amended, *considered.*

MR. NEWDEGATE said, the operation of this Bill would be to exempt all property held by charitable or religious societies from the operation of the Law of Mortmain. But no property was exempt unless duly enrolled, and this Bill exempted such property from the necessity of being enrolled, the object of enrolment being that it should be known by whom the property was held in Mortmain.

An hon. MEMBER said, he wished to ask, if the hon. Member was in order in discussing the Bill at that stage?

MR. SPEAKER said, the hon. Member was not strictly in order in doing so.

Bill to be read the third time *To-morrow.*

THAMES EMBANKMENT (SHEILDS' PETITION).

MOTION FOR A SELECT COMMITTEE.

MR. LOWE moved for a Select Committee to inquire into the allegations of the petition of Francis Webb Sheilds, C.E., presented on the 8th instant. He said, that the case he had to call attention to, in the absence of any answer to the allegations made, appeared to be one of considerable hardship. In 1861 a Royal Commission was appointed to investigate the propriety of the embankment of the Thames between the Westminster and the Blackfriars' bridges; and that Commission issued this advertisement—

> "Thames Embankment Commission, 2, Victoria Street, S.W., the 6th of March, 1861.—Parties desirous of submitting plans for embanking the River Thames within the metropolis, which will provide with the greatest efficiency and economy for the relief of the most crowded streets, tend to the improvement of the navigation, and afford an opportunity of making the low level sewer without disturbing Fleet Street and the Strand, are requested to forward them without delay.—By order, HENRY KINGSCOTE Secretary."

That seemed to him to be a plain invitation to engineers to send in plans, and it certainly implied that the person who in the best manner satisfied the wishes of the Commissioners would receive some sort of reward or remuneration for his services. That this was the construction put upon the advertisement might be gathered from the fact that fifty-nine persons sent in plans, and among them some of the most distinguished members of the profession of engineers, who certainly would not have given their valuable time if they had not been perfectly assured that, in case their plans met with approval, they would receive some compensation. Among the competitors were Messrs. Bidder, President of the Institution of Civil Engineers, Harrison, G. R. Stephenson, J. Fowler, Fulton, Hemans, Bazalgette, Page, Rendel, Captain Moorsom, Sheilds, and forty-eight others. The Commissioners received the plans of the competitors, and, after a good deal of consideration, they reported that—

> "The main features of the majority of the plans are an embanked roadway on the north side of the river, and the formation of docks with the view to retain all the existing wharves; in others, railways in addition to the roadway and docks have been proposed; while in a few a solid embankment and roadway without either docks or railways have been suggested. Among these latter is a plan submitted by Mr. Sheilds, some of whose suggestions appear to us to afford, in a greater degree than in any of the other designs, the basis upon which an efficient and economical scheme may be founded. We desire, however, to express our high appreciation of the great engineering skill and ability that have been displayed in many of those designs which contemplated the construction of docks and railways."

Upon that the scheme was handed over to the Metropolitan Board of Works, who employed their own engineer, Mr. Bazalgette, to carry the design out. Mr. Sheilds applied both to the right hon. Member for Hertford (Mr. Cowper) and the Metropolitan Board of Works for employment as engineer, having been the person whose plans had been adopted by the Commission. He received civil answers stating that they could do nothing for him. He stated, in his petition, that he was put to considerable expense and trouble in preparing plans for which he had received no remuneration whatever. That a gentleman should have succeeded as Mr. Sheilds did in a competition with fifty-nine of the most eminent engineers in England, and should have received no compensation whatever, appeared to indicate a state of things most undesirable to the public interests. If gentlemen were to be called upon to give valuable time and services, and to make plans for works for the public advantage, and were to receive no compensation, the necessary result would be that in future men of the first talent would decline to compete, and the public must be content with second-rate or third-rate plans. Mr. Sheilds went on to state that he could prove that a very great public saving had been effected by the adoption of his plans. In 1862 a Committee of the House sat on the subject of the Thames Embankment, and it summoned several of these Commissioners. Mr. Cubitt, late Lord Mayor, and a Member of that House, said—

> "After we had been for a considerable time studying the matter, and examining plans, and hearing evidence, we came to the conclusion that none of those elaborate designs would do. We made up our minds that what was wanted would be a simple roadway; that we should best comply with what we had to do by a simple compliance with the terms of our instructions, and one of the Commissioners said, 'There is a plan which is very nearly what you are talking about.' Mr. Sheild's plan was then brought out again, and we felt that that did nearly meet what we thought we required."

Captain Burstall, R.N., a member of the Royal Commission, said that they had between fifty and sixty plans, that they were passed carefully under review, and—

> "They came to a conclusion that a plan after a certain form was best suited for the purpose, and the plan that most agreed with their views was a plan drawn by Mr. Sheilds. The general features of the scheme were such as met with the general approval of the Commissioners. It was with reference to his scheme—a solid embankment, the general line which it took, and the mode in which he communicated with the embankment and the main thoroughfares."

Mr. J. R. M'Clean, a member of the Commission, said that the Commissioners in their Report alluded to the plan of Mr. Sheilds as having had more points of which they approved than any of the others. Mr. H. A. Hunt, a well-known land agent, and member of the Commission, said that Mr. Sheilds made a plan which was very much like what the Commissioners wanted, and that they improved upon it. Mr. Sheilds added in his petition that if he had supposed that he would neither have been employed to carry out his design, nor receive any remuneration for it if successful, he would not have competed. He (Mr. Lowe) did not ask the House to pronounce an opinion on the petition of Mr. Sheilds; but let it send this matter to a Select Committee for inquiry. There were many points for inquiry—whether the plan of Mr. Sheilds was approved as the best, whether it had effected a saving to the public, and whether he had reasonable grounds for supposing that he would be remunerated for it. If these things were so, let the Committee make whatever recommendation it might think proper. Mr. Sheilds could have no claim against the Metropolitan Board of Works. It was not the Board but the Royal Commissioners that issued the advertisement. If Mr. Sheilds were to receive any compensation it must come from the Government, which appointed the Commission. He thought he had made out a *primâ facie* case to justify him in moving for a Committee.

MR. LANYON seconded the Motion. He said that the case was important on public as well as on individual grounds. He trusted, therefore, the Government would assent to the Motion.

LORD JOHN MANNERS said, he did not doubt that Mr. Sheilds was an able engineer, and that the plans he submitted to the Royal Commission met with deserved approval. There was a wide difference, however, between the case referred to by the right hon. Gentleman (Mr. Lowe) and an invitation by the Government asking architects or engineers to engage in a public competition. Whenever the Government invited architects or engineers to compete they did so under stringent conditions. If the competition were unlimited, as in the case of the Foreign Office, two or three large premiums were awarded. If limited, as in the case of the National Gallery and the New Law Courts, every architect who was invited to compete took a certain sum, and the plans sent in became the property of the Government. But in the advertisement read by the right hon. Gentleman no mention whatever was made respecting any employment, remuneration, or engagement. The Royal Commissioners simply invited the public to send in any idea or scheme they pleased, and there the matter ended. Not a word was said about employment, premium, or remuneration. In answer to the advertisement, fifty or sixty gentlemen sent in their ideas, which were taken into consideration by the Royal Commissioners, who expressed a favourable opinion respecting the main portion of the scheme proposed by Mr. Sheilds. He did not understand that the right hon. Gentleman (Mr. Cowper), on the part of the Government, employed Mr. Sheilds to prepare any of the designs submitted to the Metropolitan Board of Works, and if Mr. Sheilds had no claim upon that Board for compensation he did not see what claim he could have upon anybody else. The Government, it was obvious, never intended to offer premiums, or they would have expressed such intention in the advertisement issued by the Royal Commissioners. Mr. Sheilds competed on the same terms as the other fifty or sixty gentlemen. If a case like the present were set up as a precedent the door would be opened to considerable inroads on the public purse. He hoped, therefore, that under the circumstances the House would not assent to the proposal of the right hon. Gentleman.

MR. BRADY said, the Royal Commission examined all the plans, and recommended Mr. Sheilds' as the best. One of the competitors of Mr. Sheilds, however, was Mr. Bazalgette, the architect or engineer employed by the Metropolitan Board of Works. The noble Lord (Lord John Manners) had said that Mr. Sheilds was not called upon to give any drawings or plans after the Royal Commission had sat. There was no necessity for any such course, as he had placed his drawings before the Royal Commission, and they were also placed before the Metropolitan Board of Works. It was very hard that Mr. Sheilds should be deprived of the result of his labours, and that Mr. Bazalgette, the paid engineer of the Board of Works, should be enabled to take advantage of them, as he had also taken the credit. The plan adopted, with very slight alterations, was the plan laid down by Mr. Sheilds. That gentleman, he believed, had a claim against the nation, and certainly against the ratepayers of London, as the expense of carrying out his plan was to be defrayed out of the coal dues. He thought it would be most unjust and unfair if there should be no inquiry into the case.

MR. HUNT said, the hon. Gentleman who had just sat down had conclusively proved that the House ought not to assent to the Motion. The hon. Gentleman said these plans had been made use of by the Metropolitan Board of Works. There was an old maxim—

"Cujus est commodum sentire debet et onus."

If that were the case, Mr. Sheilds ought to apply to the ratepayers of the metropolis, or their representatives, and this was not a case for Government compensation.

MR. POLLARD-URQUHART said, that if no inquiry was made into the matter a gross piece of injustice would be done.

Mr. COWPER said, his right hon. Friend (Mr. Lowe) had altogether failed in making out a case on behalf of Mr. Sheilds for a grant of public money. Mr. Sheilds had no ground whatever for expecting any remuneration even if his plan had been adopted. In fact, however, it was not adopted, although the Commissioners said it might form the basis of a plan which could be carried out. In the advertisement none of those matters were mentioned which were invariably inserted when a public competition was intended. If the Commission had adopted Mr. Sheilds' plan, no doubt he would have had an equitable claim for employment or remuneration; but, according to the terms of his own petition, the Commission did not adopt his plan.

Mr. O'BEIRNE said, that if the inquiry was refused and the treatment received by Mr. Sheilds was sanctioned by the House, the confidence of professional men in advertisements issued from public departments would be entirely shaken. The plan actually carried into effect was identical with that sent in by Mr. Sheilds, with only two inconsiderable alterations.

Mr. AYRTON said, he wished to ask whether the House were prepared to vote any payment which the Select Committee might recommend. On the ground of trouble the other forty-nine professional gentlemen had an equal claim with Mr. Sheilds.

Mr. LOWE said, he had heard with shame pleas and quibbles put forward on behalf of this great and wealthy country which those who had employed them would not make use of in their private transactions. If the advertisement did not bear the construction put on it what did it mean? When gentlemen were asked to send in their plans without delay what did that mean? Did it mean, according to his right hon. Friend (Mr. Cowper), that they were to send in their plans, that their plans were to be investigated and their ideas stolen, and then that they themselves were to be sent away without getting anything. Did they mean to say that this was what was meant, because the contrary was not stated in so many words in the published advertisement? The right hon. Gentleman (Mr. Cowper) had admitted that Mr. Sheilds had an equitable claim, and that, had the selection of an engineer rested with him, he would have chosen that gentleman. And why had he been unable to do so? Because after that equitable claim had arisen the Government, by an Act of Parliament, transferred the management of the Embankment to the Metropolitan Board of Works. That Act, however, did not release the Government from their obligation towards Mr. Sheilds. If they were bound originally they were so now. Much as he wished to succeed in his Motion, he thought it of far more consequence that the House should signify its reprobation of the miserable plea which had been put forward to oust Mr. Sheilds' claim. There might, indeed, be conclusive reasons against the claim; but he contended that, strengthened by the admisions of the right hon. Gentleman (Mr. Cowper), he had made out a *primâ facie* case for inquiry. If the House refused it, it would be doing what no honest man would think of doing, and what would degrade the Government before the country.

Motion made, and Question put,

"That the Petition of Francis Webb Sheilds, C.E. [presented 8th March], relative to the Thames Embankment, be referred to a Select Committee to inquire into the allegations thereof, and to report their opinion to the House."—(*Mr. Lowe.*)

The House *divided*:—Ayes 29; Noes 49: Majority 20.

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, March 29, 1867.

MINUTES.]—*Sat First in Parliament*—The Earl of Eldon, after the Death of his Father.

Public Bills—*First Reading*—Lyon King of Arms (Scotland)* (54).

Second Reading—Oyster Fisheries* (47).

Third Reading—Consolidated Fund (£7,924,000),* and *passed.*

Royal Assent—(£369,118 5*s.* 6*d.*) Consolidated Fund [30 *Vict.* c. 4]; Duty on Dogs [30 *Vict.* c. 5]; Marriages (Odessa) [30 *Vict.* c. 2]; British North America [30 *Vict.* c. 3]; Metropolitan Poor [30 *Vict.* c. 6].

MILITIA.—ADDRESS FOR A RETURN.

The Marquess of SALISBURY *moved*—

That an humble Address be presented to Her Majesty for, Return of all Regiments of Militia in the United Kingdom; showing the

Number of Companies in each Regiment, the Establishment Number of Privates in each Company, the Number of Privates present with the Regiment at the last training in the Year 1866, the Number enlisted between the 1st Day of April 1865 and the 1st Day of April 1866, and the Sums paid in each Regiment for such Enlistments.

The noble Marquess, who addressed the House at some length, but whose remarks were inaudible, was understood to refer to the diminution of the numbers of the militia, to suggest that measures should be taken for raising the force to its full numbers.

THE EARL OF LONGFORD said, he had no objection to the production of the Papers for which the noble Marquess had moved; on the contrary, it was desirable that as much information as possible on this subject should be laid before their Lordships. He thought, however, that the noble Marquess had taken rather too desponding a view of the state of the militia force; because, although it was true that a considerable diminution annually took place from deaths, expiration of time, and other causes, still he found from the figures which had been placed in his hands that in the last two years in which recruiting had been carried on with vigour the result had been satisfactory—the numbers having approached the prescribed quota of 120,000. In 1862-3 the number of new men enrolled was 29,233, in 1863-4 it was 29,236, and in 1865-6, when the previous efforts began to be relaxed, 23,449, therefore, though possibly all these men might not appear at the time of training, the figures he had quoted were sufficient to show that the decline in the strength of the force could not be going on at the rapid rate the noble Marquess seemed to suppose. The fact was that in 1864 a change was introduced, and a reduction was made from 120,000 to a lower quota. The explanation given was that several of the regiments were of an unmanageable size, and having to assemble at places where there was very limited accommodation, their very numbers were found inconvenient. A departmental order was therefore issued that not more than 600 men should be enrolled for each regiment. He had been informed that the result of that change was to introduce some uncertainty into the minds of commanding officers, and the recruiting, which before had been prosecuted with vigour, was relaxed, as it appeared to be possible that further reductions might from time to time be made, whether from financial, or other considerations. The change had naturally a prejudicial effect upon the strength of the force; but he understood from those whose business it was to watch this force that they did not anticipate that any difficulty would be found in filling up the ranks again to the higher quota if an order to that effect should be issued. If the size of the militia regiments was objected to a remedy might easily be found in dividing them, though that might involve some increase of the staff; but the slight extra expense of such an arrangement was of little importance compared with the benefit that would result from preserving in efficiency so large and valuable a national force. The noble Marquess had mentioned that in 1852 the militia force was revived. At that time the staff had dwindled down to 715 persons, and the whole militia force enumerated on the *Army List* covered only three pages and a half. But, in 1852, Parliament took up the question vigorously; since then no less than sixteen special Acts of Parliament had been passed on the subject, and in 1859 a Royal Commission was appointed to inquire into the state of the force. The year 1852 was one of considerable political movement, a change of Ministry took place, and a general election soon followed. There was, however, at the time, a general concurrence of opinion in favour of the revival of the militia force. One Government introduced a Bill with that object at the commencement of the Session, and although they did not pass it, their successors carried the measure in a somewhat altered form. There was a great difference of opinion at the time and some hot discussions took place. While it was advanced on the one side that we had no respectable military force in the country, and that a revival of the militia was absolutely necessary, persons equally competent were to be found on the other, who were of an entirely opposite opinion. But even those who admitted that an addition to our military strength was necessary, differed as to the way in which it should be made. Some were for an increase in the regular army, some for a local militia, and some for an army of reserve. He had read in *Hansard* that one experienced Member of the House of Commons informed the Ministry that he had shown them how they may have a reinforcement of almost any amount of regular troops in an army of reserve, at almost no cost. He had not heard that that project had been realized — perhaps the author had not lived to carry out his plan; but if any friend had inherited the details, the War Office would be very glad to hear from him. Some opponents of the militia scheme at the time grounded their objections upon the assumption that the force could never become efficient on account of the limited period of training. And this was said of those very militia regiments which, two years afterwards, most efficiently did the duty of regular troops both at home and abroad. And now, when he heard it whispered that the militia were falling away he reflected upon the predictions of 1852, and tried to reassure himself by the thought that the force which had grown efficient in such a short period, might still perhaps maintain its efficiency, notwithstanding the omens of decline which some thought they noticed at the present time. The noble Marquess had adverted to the deficiency of numbers now existing. That deficiency amounted to something like 800 officers and 7,000 men. The deficiency of men might be accounted for by the uncertainty to which he had before referred, which affected the recruiting; but the deficiency of officers was a more serious matter. It was gradual, but still in the same unfavourable direction. The Commission which sat in 1859 had considered the position of the officers of the staff, but not that of captains and subalterns, and had made some recommendations with regard to the former which had been adopted. Notwithstanding, the officers of the permanent staff were not altogether satisfied with their position now, and numerous memorials were received from them: representations were also made by captains and subalterns who attended training, complaining that the expenses they were put to were considerable, and calling attention to their inferior billets, and other matters. Some cases had certainly been made out for favourable consideration on the part of the authorities, and the heads of the Department were ready to consider them. It was well known that from year to year there was a Massacre of the Innocents at the time of the preparation of the Estimates, and many a wise and large-hearted project disappeared or died the slow death of postponement to a future opportunity. It should not be forgotten that the nomination of the officers of the militia was a matter with which, as yet, the public Departments had no concern. There was no disposition to trench on the functions of the lords-lieutenant of counties, with whom these appointments rested, and until the lords-lieutenant came forward of themselves and begged to be relieved of the task —which he hoped would not be until a very distant day—the Departments could not interfere. In the county management of the militia there appeared to be some anomalies. For instance, they were under no military jurisdiction when they were assembled for drill, they did not report themselves to the General Officer of the district, and the present system of inspection was not altogether satisfactory. As the Inspector General of Militia was unable to inspect the whole force, military officers were taken from the neighbouring stations to perform this duty. They usually passed a very pleasant day, and were generally able to make a very favourable report of the regiment they inspected. But there was one point which they frequently pointed out as calling for some attention—namely, the state of the storehouses, the armouries, and quarters for staff-sergeants of militia. The law on this point had been altered, and the practice now was very uncertain. The Royal Commission reported as follows:—

> "We find that in 1853 counties were required, under the provisions of the Militia laws, to provide quarters for at least one-half of the non-commissioned officers of the permanent staff; that in the subsequent year an Act was passed leaving the provision of such quarters to the discretion of the magistrates of the county; and that, practically, many counties have not even provided accommodation for the proportion above alluded to. We therefore recommend, with a view to the maintenance of discipline, that the whole of the non-commissioned officers of the permanent staff be provided by the counties with proper quarters in or near the storehouses, and that a quarter be also provided for the residence of the drummers and buglers of the permanent staff."

This, however, had not been done, and the result was very great inconvenience, and injury to the discipline of the force. Besides the quarters in or near the storehouses, the law originally required that yards should be provided for the mustering and drilling of the men. This also had been neglected, and there were some stations at which, practically, the whole business of the militia was done in the street. The drill-ground was often at a distance, and the result was great loss of time, as well as other inconveniences, and the few days allotted to exercise could not, under such circumstances, be turned to the best advantage. This question came before the authorities lately, in connection with reports from different localities, as to the insecure position of the arms of Volunteers. Similar reports were made of the militia stores; and it was found that in some cases only one, and in others no sergeant at all, was in the armoury. This was a matter of serious consequence ; but it was also a point involving great expense. He had heard of counties which had spent £13,000 or £15,000 in providing stores and quarters. He had no doubt that this was money well laid out, if the scruples of economists at quarter sessions could be overcome. The noble Marquess had alluded to the proposal respecting an Army of Reserve, which had been mentioned in the other House of Parliament. The details were not yet published, for, owing to the change in the head of the War Office, and to other causes, some delay had taken place. As regarded the militia, the proposal was that certain soldiers whose first period of service had not expired might have permission, after eight years' service, to commute the unexpired portion of their term for a double period of service in the militia ; and that a certain number of militiamen ready drilled—a limited number — might, on receipt of extra bounty, be joined with those soldiers in the first reserve, both being under an obligation to join the ranks of the army on any emergency should their services be required. Until this emergency arose they would do duty with the militia, as they did now, and possibly might complete their whole service without being called upon to serve in the line. It was intended, he might observe, if the scheme was adopted, that the quota of the militia would be restored to its original strength of 120,000, in order that, after the withdrawal of these soldiers and Volunteer first reserve men, the remainder of the force should be not below its present establishment of 94,000. He had sometimes heard it said that the organization of the Volunteer force had to some extent superseded the militia in public view. The Volunteers, no doubt, had the advantage of novelty; their dress was, perhaps, more picturesque, and they were more seen and heard than the militia. Nevertheless, there was plenty of room for both. The total of our regular and auxiliary forces did not exceed together 1·7 per cent of the population. In reality, therefore, the militia had very little cause to regret that their patriotism in coming forward for the public defence should be shared by others. Although those who had charge of public Departments acknowledged cordially the spirit and good feeling with which so many had come forward to sacrifice money, time, and personal exertions to maintain and develop the auxiliary forces, of which the militia was the first and the oldest, nevertheless much remained to be done by local effort. Acts of Parliament and acts of administration required corresponding efforts and support from those who were interested—as all were—in the institutions of the country. The noble Earl concluded by stating that the papers moved for would be supplied.

The Marquess of SALISBURY, in reply, regretted the economy of the War Office, and said that the noble Earl had not touched upon the mode of increasing the number of recruits.

The Earl of LONGFORD said, he himself had reason to agree with the noble Marquess in regretting the economy of the War Office, for they had even cut off his half-pay, on the ground that he was now holding an office of profit under the Crown. As to the other point mentioned by the noble Marquess, he must remind the noble Marquess of what he had already stated—that in 1862-3 and 1863-4, there had been 29,000 recruits raised in each year, and, with very slight relaxations, he was informed that a full supply of recruits, whenever required, would be obtained for the militia without the ballot.

Earl DE GREY and RIPON said, he was glad to hear from the noble Earl the Under Secretary of State for War that, from the information at his command, he did not acquiesce in the desponding view taken of the militia by the noble Marquess. In 1859, when volunteering for the militia was at its lowest ebb, a Commission was appointed to inquire into the whole question. The recommendations of the Commissioners were considered and adopted by the late Government, and had been followed by their successors ; and the result of the measures thus taken was that the number of men enlisted increased, and that they were drawn from a more satisfactory class of persons—namely, from those resident in the respective counties. Therefore, this recruiting from the militia must have interfered in a less degree with recruiting for the Line. There could be no doubt that those causes, which were considered by the Royal Commission of last year to interfere with recruiting for the Line, in some degree affected the recruiting for the militia. The noble Earl who had just sat down had told their Lordships that there had been of late years no less than 29,000 men raised in the course of a year for the militia within the three kingdoms. It was impossible to say, if there were facilities for raising such a number of men, that they were likely to encounter any serious difficulty in obtaining the number of men required for that force. But the noble Earl seemed to think that a measure of the late Government had had an unfavourable effect on the recruiting for the militia. The noble Earl correctly described the objects of the measure; but he was not quite correct when he spoke of it as being intended to reduce the quota. The quota and the establishment remained just as they were before; all that was done was to direct that the larger regiments should not be filled up to their full strength. That direction was issued in consequence of its having been found that 1,000 or 1,200 men was a larger number than could be properly handled by one commanding officer. To divide the regiments would largely increase the expense; because, although division might not involve having altogether double the number of officers, it would necessitate the doubling of all the staff expenses and seriously interfere with the existing organization. Therefore, it was the opinion of the late Government that by diminishing the strength of the larger regiments and increasing the period of training from twenty-one to twenty-seven days in each year, they were adopting a course which was calculated not to diminish but to increase the efficiency of the militia. It might have turned out—but the noble Earl was better informed on that point than himself—that the measure had had some effect on recruiting; but he could not see how the measure could have had this result. A noble Friend of his drew his attention the other day to a matter which in some parts of the country had had a considerable effect on recruiting for the militia—namely, the change that had taken place in some districts from the system of engaging agricultural labourers by the week to that of engaging them by the year. It was not permitted to the recruiting officers of the militia to interfere with men engaged thus permanently as labourers; and he believed that in some parts of the country this had greatly affected recruiting. He agreed with the noble Marquess that it was of great importance, especially at the present time, when they saw what was taking place in other countries, seriously to consider the question, and to take every step that could be taken to fill up the numbers and to increase the efficiency of this most valuable branch of our military service, which must form—as he took the liberty of observing the other night—the first portion of the home reserve. But the deficiency of officers was a more serious and more pressing evil than the deficiency of men. The noble Earl (the Earl of Longford) had told them that the militia was 7,000 men short of its quota. That was an unfortunate circumstance; but the want of 800 officers was a matter which required still graver consideration. One cause of the difficulty of obtaining officers for the militia of late years was, no doubt, the establishment of the Volunteers. He entirely agreed with the noble Earl that there was plenty of room for both forces, and that both forces were required; but undoubtedly the establishment of the Volunteer force had increased the difficulty found by lords-lieutenant in obtaining officers for the militia. The subject was one of daily increasing importance, and it had occupied much of his attention, particularly during the latter part of his administration at the War Office. He trusted that the present Government would give their serious attention not only to the number of the officers, but also to the quality of the officers to be appointed. It was as important that a due proportion of the officers should be men having practical acquaintance with military service, and some of them should be men of county position and influence. The noble Marquess, in alluding to the introduction of the ballot, dwelt on the great expense which attended the system in former times, and the length of time which it took to raise men by ballot. But in so doing the noble Lord was describing a state of things which did not exist at the present time. In 1860 a measure was passed, on the recommendation of the late Lord Herbert, for shortening the period required for carrying out the ballot, and the operation would now be less expensive and would occupy a considerably shorter time than was the case under the old system. He was entirely of the noble Marques's opinion that it would be a serious thing to entertain the proposal for the revival of compulsory service in time of peace, not only on account of the expense and loss of time which would be involved, but for the obvious reason that it would be necessary for the Government which would propose such a system to show that there was an overwhelming necessity for it. Still, he thought that the power of resorting to the ballot in times of war and emergency should be retained. It appeared to him that the system of local taxation which the noble Marquess had suggested would be neither practicable nor efficient.

Viscount HARDINGE desired to ask the noble Earl the Under Secretary for War, whether, under the new scheme of army reserve about to be submitted to Parliament, a militia officer bringing 100 men to that part of the militia which was to form a portion of the reserve would be entitled to a commission? If so, there would be a great inducement for the sons of country gentlemen to join the militia. At present they preferred the Volunteer force as being the more popular service. Complaints had been made to him by officers commanding militia regiments, and by captains of companies, that they had had to discharge all the duties of subalterns, and this was regarded as a great hardship.

The Earl of LONGFORD said, the scheme for the army reserve was not yet before Parliament; and he hoped that he might be allowed to defer his answer to another opportunity.

Motion *agreed to.*

ROYAL NAVY.—MOTION FOR RETURNS.

The Duke of SOMERSET, in moving for a Return of the Number of Lieutenants on the Active List of the Navy in each Year from 1856 to 1867; and also for a Return showing the Number of Lieutenants employed in each Year from 1856 to 1867, said: My Lords, the object I have in view is this—it has been reported that the Board of Admiralty consider that the number of cadets entered of late years is too large, and that we have too many junior officers in the navy, and I desire to remove that impression. My experience in office teaches me that, instead of there being too many lieutenants, even during time of peace, we have lately had too few, and the Returns I move for will show that. Your Lordships are aware that the efficiency of the navy, especially during the next few years, will depend very much upon the efficiency of the lieutenants, and it is of the greatest importance that the number should not fall below a certain minimum. I feel the more responsibility upon this subject, because some years ago I was Chairman of a Committee of the House of Commons which, after hearing the evidence of Lord Auckland, then first Lord of the Admiralty, and of the Naval Lords, recommended the reduction of the number of cadets; and the Admiralty not only acted on this view, but carried it out to a greater extent than the Committee contemplated. The consequence was that as soon as the Russian war broke out, there was a serious want of lieutenants for the navy, and great complaints were made. On that account, feeling the responsibility of the opinion which I gave in connection with the Committee, even though that opinion was founded on the evidence which we took, I am now anxious to correct, at least as far as I can, any erroneous impression which may have been made by that Report, and to say that we increased the number of entries of cadets, because there were so few lieutenants in the navy. I have continually had complaints made to me that when lieutenants came home from foreign service or tropical climates, instead of being allowed a reasonable time to visit their friends, they were, in the course of a few weeks, appointed to a ship, and again sent to a distant part of the world. And that was the case even in time of peace. Such a system is not only injurious to the lieutenants themselves, but likewise detrimental to the interests of the service. I am not aware of the exact number of lieutenants in the navy at present, nor of the number now employed, and I have moved for these Returns in order to ascertain that, and to have the means of comparing the numbers now employed with the numbers in previous years, and I shall afterwards call the attention of the House to the subject. There are no complaints against the Board of Admiralty that I am aware of; and, in fact, in declining to appoint a larger number of cadets, they have given up a certain amount of patronage.

Motion *agreed to.* [*Parl. Paper*, No. 79.]

Return of the Number of Lieutenants on the Active List of the Navy in each Year from 1856 to 1867: And also,

Return showing the Number of Lieutenants employed in each Year from 1856 to 1867.—(*The Duke of Somerset.*)

House adjourned at a quarter past Six o'clock, till Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 29, 1867.

MINUTES.]—Supply—*considered in Committee* —£2,000, Special Rewards to Irish Constabulary Force.

Public Bills — *Resolution reported* — Canada Railway Loan.*

Ordered — Canada Railway Loan*; Railway Companies (Winding-up) (Ireland).*

First Reading—Hypothec Amendment (Scotland)* [100]; Canada Railway Loan* [99]; Railway Companies (Winding-up) (Ireland)* [101].

Second Reading—Alimony Arrears* [98].

Third Reading—Religious, &c. Buildings (Sites)* [64], and *passed*.

COUNTY RATES.—QUESTION.

Mr. WYLD said, he would beg to ask the Secretary of State for the Home Department, If Her Majesty's Government, will introduce any measure to enable the Inhabitants of Counties who are rated to the County Rate to be represented at County Financial Boards, and through their representatives to have some control in the making and in the expending of the monies raised by County Rates?

Mr. WALPOLE stated, in reply, that he did not intend to introduce any measure to enable the inhabitants of counties who were rated to the county rate to be represented at county financial boards.

ART UNIONS.—QUESTION.

Mr. BERESFORD HOPE said, he wished to ask the Vice President of the Committee of Council on Education, Whether he is prepared to bring in a Bill, during the present Session, to place Art Unions under the department of Science and Art, as recommended in the Report of the Select Committee of last Session, of which he was Chairman?

Lord ROBERT MONTAGU, in reply, said, he thought his hon. Friend must labour under the pleasing delusion that at the Committee of Council Office they had nothing to do but to sit with their arms folded all day long. If, however, he would bear in mind the various questions connected with the Paris Exhibition, the South Kensington Museum, the Charity Commission, the Cholera, the Cattle Plague, and other subjects with which they had to deal, he would see that they had but little time at their disposal for the preparation of fancy Bills. The first moment he had leisure he should be happy to think about such a measure as that to which his hon. Friend alluded.

RAILWAY DEBENTURES.—QUESTION.

Sir THOMAS LLOYD said, he wished to ask the Vice President of the Board of Trade, Whether it is the intention of Her Majesty's Government to introduce a measure on the subject of Railway Debentures this Session?

Mr. STEPHEN CAVE replied, that a Select Committee was sitting on the subject of railway debentures, on which the Government was represented, and that it would, perhaps, be premature to say more than that such a measure as the hon. Gentleman referred to was under the consideration of that Committee.

BUST OF THE LATE MR. HUME.
QUESTION.

Mr. EWART said, he wished to ask the First Commissioner of Works, Whether he has been able to give effect to the wishes of this House, as expressed last Session in an Address to Her Majesty the Queen, that an appropriate place be found, within the precincts of the Palace of Westminster, for the reception of a Bust of the late Joseph Hume, Esq., presented by his widow?

Lord JOHN MANNERS said, in reply, that immediately after Her Majesty's gracious reply to the Address in question had been received, he had made inquiry as to the wishes of those who were naturally most interested about the spot in which the bust should be placed, and he was happy to say, as the result of those inquiries, that it would very shortly be placed in the Library of the House of Commons.

STATE OF THE IONIAN ISLANDS.
QUESTION.

Mr. LAYARD said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he will lay upon the table of the House, Copies of Despatches from Her Majesty's Consuls in Corfu, Zante, and Cephalonia, containing information on the state of those Islands since the withdrawal of British protection, and their annexation to the Kingdom of Greece?

Lord STANLEY, in reply, said, he would look into the matter without loss of time, and that he had no doubt there would be found to be no objection to the production of those papers.

THE PLANTAGENET STATUES AT FONTEVRAULT.—QUESTION.

Mr. OWEN STANLEY said, he would beg to ask the Secretary of State for Foreign Affairs, If the statement in the public papers is correct, that Her Majesty the Queen has declined to accept the offer of the Plantagenet Statues from Fontevrault, made by the Emperor of the French, in deference to the expressed feelings of the French people against their removal? He wished further to ask the noble Lord, whether he can, either through Her Most Gracious Majesty the Queen or the Ambassador at Paris, convey to the Emperor of the French the earnest wish of many in this country that the effigies of our most illustrious Sovereigns and their consorts should be restored to their proper position in the Abbey of Fontevrault, and no longer be left in their present neglected state in a deserted vault?

Lord STANLEY: When, in answer, Sir, to a Question put to me by the hon. Member, I last gave some information to the House on this subject, I said that the Emperor of the French, with that courtesy which he had invariably shown towards this country, had offered those statues to Her Majesty, and that that offer had been accepted by Her Majesty with gratitude. Since that time the state of the case has altered. Information reached us from various quarters to the effect that the Emperor in his anxiety to meet what he supposed to be the wishes of the people of England—an anxiety for which we owe him a debt of gratitude—had placed himself in a position of some little difficulty. We learnt that legal objections were taken to the removal of those statues, which it was thought could be overcome only by legislative action on the part of the French Chambers. Independent of that consideration, there is no doubt that in the locality where those memorials of antiquity are preserved there arose—however little care might up to the present time have been taken of them—a very strong feeling against their removal. Now, we felt that it could not be the wish of Her Majesty, or the Government, or of this House, or the English public that any misunderstanding should spring up between the Emperor and his own subjects out of a matter in which he acted solely out of a feeling of kindness and courtesy towards this country. We therefore advised Her Majesty—and Her Majesty was graciously pleased to accept the advice—that she should at once release the Emperor from his promise, and that that promise should be looked upon as if it had not been given. A communication to that effect has been conveyed to His Majesty; I have not yet received an answer to that communication; but I assume that the removal of the statues will not now take place, and that the matter may be looked upon as at an end. In reply to the second Question of the hon. Gentleman, I may state that in the letter which, by Her Majesty's command, I wrote on the subject, I ventured to express a hope that, as we had waived whatever claim we might be supposed to possess on the French Government as to the removal of those memorials, some means would be taken—seeing that their value seemed now to be known and appreciated in the locality to which they belonged—to preserve them, and that they would not be allowed to remain in the neglected state in which they were now understood to be.

IRELAND—REPRESENTATION OF THE PEOPLE.—QUESTION.

Mr. ESMONDE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, in conformity with the precedent of last year, it is intended by Her Majesty's Government to introduce and lay upon the table the Irish Reform Bill before going into Committee upon the Bill to amend the Laws relating to the Representation of the People in England and Wales?

Mr. O'BEIRNE said, he also would beg to ask Mr. Chancellor of the Exchequer, whether he will inform the House when he intends to introduce the Bill for the further amendment of the Law relating to the Representation of the People in Ireland?

The CHANCELLOR of the EXCHEQUER: I am sorry, Sir, to have to state that it will not be in my power to lay the Irish Reform Bill on the table before we go into Committee on the English Bill. But we shall bring it forward as soon as we can after the Easter recess.

COMPULSORY EDUCATION.

QUESTION.

Mr. FAWCETT said, he would beg to ask the Secretary of State for the

Home Department, Whether it is his intention to introduce any Compulsory Educational Clauses in the Bill for regulating the hours of labour in workshops? He should also be glad to know whether, if such Clauses are to be proposed, they will be laid upon the table of the House before the Easter recess?

MR. WALPOLE said, in reply, that he meant to introduce educational clauses into the Bill; but he thought that the most convenient opportunity for his stating the nature of those clauses would be on the Motion for their going into Committee on the measure.

REPRESENTATION OF THE PEOPLE BILL—COURSE OF PROCEEDING.

QUESTION.

MR. GLADSTONE: Sir, I wish to put a Question to the right hon. Gentleman the Chancellor of the Exchequer, which, if he should not find it convenient to answer now, I shall repeat on Monday. I wish to know, first, Whether it is the intention of Her Majesty's Government to make any alteration in the arrangements or provisions of the Bill for amending the Representation of the People before inviting the House to discuss its Clauses in Committee; and secondly, whether he is willing to lay upon the table of the House the Reports or other Documents from which he quoted on Tuesday the opinions of the late and present Chairmen of the Board of Inland Revenue, with respect to the proposed taxing Franchise?

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NEW NATIONAL GALLERY.

MOTION FOR PAPERS.

MR. GOLDSMID said, he wished to call attention to the competition for the New National Gallery, and to the Papers on the subject which had been laid upon the table of the House, and to move for a Copy of any further Correspondence between the architects and the First Commissioner of Works. He desired, at the outset, to state that the architects themselves were not aware that he intended to bring

the subject before the House. The history of the proceedings was shortly this. In the month of February, 1866, twelve architects were invited to send in designs for the building, and eleven of them accepted the invitation. Instructions were issued to these gentlemen in reference to the competition, but no date was assigned to those instructions in the papers which had been laid before the House. Further instructions were forwarded to them on the 25th and 29th of June last, and the time for sending in the designs was enlarged from the end of October in the same year to the 1st of January in the present year. In the course of the latter month the noble Lord the present First Commissioner of Works (Lord John Manners) appointed a Committee of Judges to advise him with respect to the plans, and those judges made their Report on the 28th of February last. They recommended that none of the designs should be carried into effect. But, at the same time, they expressed their belief that the design of Mr. Edward Barry for a new Gallery, and that of Mr. Murray for the adaptation of the existing Gallery, exhibited the greatest amount of architectural merit. The judges then pointed out what they considered to be the requirements for a new Gallery. Now, it would naturally occur to the mind of anyone to inquire why judges appointed to consider the designs sent in should give their opinion to the First Commissioner of Works as to the requirements for a new National Gallery. Consequently it would be probable that any inquirer would look at the instructions which were issued, and to these he begged the House to turn for a moment. The first portion of the instructions issued to the architects in June last year merely stated what form the designs were to assume, and it was not until one had gone half way through the instructions that one arrived at the requisites for the Gallery itself. These instructions, issued by the right hon. Gentleman the late First Commissioner of Works (Mr. Cowper), were, he thought, of a very unusual character, and deserved special notice. The only condition laid down with respect to the largest of the galleries was, that it should have a width of fifty feet, while there was no allusion whatever to the amount of wall space which would be required for the pictures. It was a most extraordinary omission. Subsequently, further instructions were issued to the architects, but they merely stated that a large number of rooms would be required, such as packing rooms, lumber rooms, and the like; but still, there was not a single word about the wall space or the number of rooms required as galleries. This omission, taken in connection with the difficulties of the site—for the Nelson Column would cut the building to be constructed into two halves—increased tenfold the trouble which the architects must have had in preparing their designs. Here, then, was the explanation of the fact that the judges in their Report had given a list of requirements for the new Gallery. They did so, because the late First Commissioner (Mr. Cowper) had not given them. And it was owing to this fact that the designs were not as satisfactory as they would otherwise have been. The next point to which he wished to direct the attention of the House was the conditions under which the architects were to engage in that competition. It was stated in the instructions that each architect was to be paid £200 for his drawings, which were to become the property of Her Majesty's Commissioner of Works. The First Commissioner did not engage himself to adopt any of the designs that might be sent in; but if one of the designs should be adopted the author of it would be employed to carry it into effect, and would be paid the usual commission of 5 per cent on the outlay. That was the only statement of the conditions of the competition contained in the papers presented to the House. But it appeared that there had been, not only written conditions but spoken conditions addressed to the architects. A distinct reference was, as he understood, made to the latter communications in the letter of the competing architects to the noble Lord the present First Commissioner of Works. Those gentlemen there stated that they—

> "Had entered the competition on the distinct understanding with his Lordship's predecessor that one of the competing architects would be selected for employment, and they most respectfully represented to his Lordship that a contrary course would be a breach of faith with them, and would confer a lasting injury upon every one of the competitors."

The right hon. Gentleman the late First Commissioner of Works seemed to share the opinion of the architects; because on the 15th of February he had forwarded a letter to Mr. Austin, the Secretary to the Commissioner of Works, in which he stated that—

> "A rumour had reached him that the judges who had been appointed were not disposed to perform the duty expected of them by deciding which of the competing designs was the best; and he believed such a course would be considered unfair towards the competitors, and would establish a precedent injurious to the success of future competitions for public buildings."

The right hon. Gentleman proceeded further to state that—

> "The expectation held out to the architects to induce them to compete had always been that an impartial decision would be made and published between the competing designs, and that the successful competitor would be engaged as the architect of the building, even though the identical design was not adopted."

The very nature of the competition naturally led to the same conclusion. It was a limited competition; and that circumstance of itself afforded a *primâ facie* presumption that the author of the best design was to be selected as the architect of the building. As there were two sets of conditions, one printed and published, and the other spoken, it was utterly impossible for the noble Lord the present First Commissioner of Works to know, when he entered office, what the conditions really were, and therefore the noble Lord and the architects were placed in an awkward position. He had pointed out why the judges had stated in their Report what they considered would be the true requirements of the National Gallery. Now, had the late First Commissioner only proceeded on the plan he himself had adopted in the competition for the new Law Courts, these difficulties would never have occurred. There, both instructions and conditions were precise and accurate; here they were very much the reverse. It was owing to this that the want of success of the architects in the present instance must be attributed, and not to any real difference in their professional capacity. That being the case, the course the noble Lord (Lord John Manners) ought to pursue was plain and simple. He ought to consult the Trustees of the National Gallery and its director, Mr. Boxall—an artist of the highest reputation—as to the requirements. He should thereupon draw up a clear, definite, and accurate code of instructions, and request Mr. Barry, or Mr. Barry and Mr. Murray, to prepare from these instructions fresh plans and designs, which should then be submitted to the judges for their approval. There would thus be still a fair probability of obtaining a suitable building—one which might be a credit to the Government and an ornament to the metropolis. And, at the same time, public faith would be kept with the architect—

> "The public faith which ev'ry one
> Is bound to observe, yet kept by none,"

as Hudibras says—the public faith which could not be broken without casting a slur on the House of Commons. He begged to move for any further Correspondence on the subject that could be produced.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, a Copy of any further Correspondence between the Architects and the First Commissioner of Works relative to the competition for the New National Gallery,"—(*Mr. Goldsmid,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GREGORY said, that his grief, though not less profound, was much wider in its scope than that of his hon. Friend who had just sat down. He was grieved for the architects, for the judges, for the trustees of the National Gallery, and, above all, for the public, who were the real sufferers on the occasion. The public had been scandalized and astonished at the awkwardness, weakness, vacillation, and unbusiness-like manner with which this question of the National Gallery had been treated. He gave the fullest credit to the right hon. Gentleman the late Commissioner of Works (Mr. Cowper) for what he did whilst in office as regards the parks; but he was, at the same time, prepared to criticize in no light manner the way in which that right hon. Gentleman had dealt with this unfortunate Gallery. His right hon. Friend was entirely responsible for the patchwork, the incertitude, the useless and mischievous procrastinations which attended the efforts of the late Government to build a gallery to hold the national paintings. The lame, unbusiness-like mode of proceeding had caused the dissatisfaction of the architects, of which his hon. Friend complained with so much justice. The origin and foundation of the whole misfortune dated from the time when the right hon. Gentleman asked Parliament for £16,000 to patch up the existing National Gallery. His right hon. Friend was perfectly inexcusable on that occasion. He must have known perfectly well that even after the old building was thoroughly patched up, it could not contain the half of the pictures which were down at Kensington, and which Parliament had decided should not remain there. He must have known that a Committee of the House of Commons had reported that the drawings of the Old Masters which were in the British Museum should be placed alongside of the pictures of the Great Masters in the National Gallery; and that even after the patching had been finished, a vast number of fine pictures would still have to be hung so high as to be invisible. He must have known that, apart from these things, the rate at which pictures were annually increasing would soon make it a hopeless task to accommodate them in the present building. Forgetful, however, of all such considerations, his right hon. Friend came down to the House and proposed that £16,000 should be spent—or rather thrown into the fire. He blamed his right hon. Friend for this procedure, inasmuch as it was fraught with mischief and opposed by every non-official person who took an interest in these subjects. The mischief done was not merely the loss of the money. When the House of Commons agreed to the expenditure of large sums, and when it saw nothing but miserable and inadequate fruits of that expenditure, it naturally became suspicious, and unwilling for the future to spend the public money upon such undertakings. He must acknowledge as a rule the House was not unwilling to spend money either in the purchase of works of art and science, or for the proper housing of such collections; but it required that the plans submitted to it should be complete and explicit. He came now to the second stage of the subject. The House, after careful and minute deliberation, expressed its deliberate opinion that the National Gallery should be in Trafalgar Square; and ten different architects were requested to prepare plans. But what did his right hon. Friend the late Commissioner do? Did he give these architects any regular instructions as to the accommodation that would be wanted in the new building, or the requirements which were absolutely necessary? Nothing of the kind. He merely gave them some general hints with respect to the proper hanging of the pictures, and other self-evident propositions. Where he was really careful in his instructions was in the matter of dust-bins, closets for brooms, retiring rooms, and lavatories—into these topics he threw himself with great strength and animation. Had the right hon. Gentleman communicated with the Trustees of the National Gallery, they would have informed him of the real requisites for such a building; and he in his turn would have been able to have communicated to the architects specific details of what was wanted. The Trustees would have told him that a hall was required for the Cartoons of Raphael, which they hoped would come there eventually; that rooms for the exhibition of the drawings in the British Museum would be wanted; that small rooms for cabinet pictures, and a gallery for works on loan would be required. Besides this, the national portraits, and an art library would have a claim; and yet not one of these things was mentioned to the architects, who were consequently left entirely in the dark. The consequence might be imagined. When people worked in the dark, their work was necessarily incomplete, and did not do them that credit which under happier auspices their talents must command. Everybody had remarked the superiority of the plans of the new Courts of Justice over those of the new National Gallery; and this merely arose from the architects having proper instructions and details as to the requirements of the building placed before them. Had that been done in the case of the National Gallery, they would not have had wild schemes for taking in the antiquities of the British Museum, and other such nonsense laid before them. This was not the only just complaint which the architects might put forward. They were told by the right hon. Gentleman in words that one of them should be chosen to build the new Gallery, whereas the only document in the Office of Works went precisely to the contrary effect—namely, that there was no engagement to employ either them or their designs. He trusted that the present noble Lord the First Commissioner of Works would not lose an hour in getting the matter satisfactorily settled. The whole matter was now in his own hands; and he should propose a definite scheme which the House should abide by. He would recommend to the noble Lord to commence *de novo*, and to have a completely new building. It was impossible to do anything with the present structure. Above all, let them lose no more time; but let them look forward to some reasonable and definite period when they would have a National Gallery worthy of the nation. At the present moment it was a discredit to the country. There was no difficulty in the House of Commons; the difficulty lay elsewhere. He was perfectly convinced that if the noble Lord would take the matter resolutely in hand he would succeed, and would deserve the thanks of every one for having at last settled this vexed question.

Mr. COWPER said, he agreed with his hon. Friend who had just sat down, that a lamentable amount of vacillation and change of purpose had been shown in connection with the question of the National Gallery; but he entirely dissented from the view that this had been occasioned by any act of the Executive Covernment. Any one who remembered the various proceedings in this matter would agree that the vacillation and delay had, on the contrary, arisen from the question having been taken out of the hands of the Government. Committees of the House had made contradictory recommendations, and Members interested in the subject had combined against each successive proposal, and the Executive Government had not been allowed to dispose of the question. His hon. Friend among others had assisted in this result by his Motions with reference to the removal of our works of art to the West End of London. [Mr. Gregory: I never made a Motion in my life upon the matter.] If his hon. Friend had not himself made Motions he had at least made effective speeches upon the Motions of other people. His hon. Friend had traced the commencement of the present misfortunes to the sum of £16,000 which some seven years ago he (Mr. Cowper) had proposed to expend upon the National Gallery. He must remind his hon. Friend that the expenditure of that sum in the formation of a central gallery, which at the present day remained the only really good portion of the building, had probably saved to the country the bequest of Mr. Turner. According to the terms of that bequest, the Courts of Law held that the pictures were given to the Crown on condition that they should be collected together in one gallery, and if this room had not been added, the exhibition of the Turner pictures could only have been obtained by the removal of other works which ought to be shown to the public. His hon. Friend said that the time at which that vote was granted was the time when the Government should have come forward with a Motion for the settlement of this question. But if an attempt had been made to solve the question, then it would not have been solved as now. The feeling of the House was not then ripe for arriving at a decision. Government proposed what certainly would have been an excellent arrangement — that a picture gallery should be erected on the site of Burlington House — but this was not agreed to. The proposal the Government then made was free from the grand difficulty that had spoilt the recent designs, that of designing a building of great beauty and dignity, fit to adorn Trafalgar Square, and worthy of the architectural taste and skill of the present generation, and also specially adapted for the exhibition of pictures. It would be difficult to design a building of sufficient elevation to prevent its being crushed by the Nelson monument and the spire of St. Martin's Church, and yet without any rooms over the galleries, which must be lit through the roof. These opposite conditions could not be combined without difficulty. If the architects were to consider only what was suitable for the exhibition of pictures, they would conclude that a low building would be the best. Picture galleries were properly lighted through the roof, and not by side windows, the light through the ceiling being diffused more equally, and falling upon the pictures without producing glitter or reflection. Lighting from the roof was, moreover, advantageous in allowing the whole of the walls to be utilized for hanging the pictures, which could not be done where there were side windows. A low building, then, would be best for the purposes of the pictures; but it would lack that dignity and impressiveness which proceeded from lofty architectural proportions. Another problem requiring solution was so to arrange the interior that it would be well adapted for the reception of the crowds of holyday makers who flocked there at particular periods of the year, and who should be allowed to circulate freely through the building, and also for producing the repose and concentration of mind required for the study of art. Another problem was which was the best form of gallery, and this had not yet been decided. Still another was the best mode of appropriating a very irregular piece of ground. It was necessary to purchase the ground immediately behind the National Gallery from the parochial authorities. But this space was of a most irregular character, one of the sides being 230 feet in length and another only 170. The ground acquired by purchase was one-and-a-half acres which, taken in conjunction with one acre covered by the present building, would be amply sufficient for any building at present required to be erected, but the collection might so increase that it might be hereafter necessary to enlarge the building. Should such be the case they could acquire one-and-a-half acres more from the barrack-yard at the back, provided they found another and a suitable site for the one taken. The late Government thought the best way of solving the problem was to invite a limited number of architects carefully to consider the best way of overcoming all these difficulties and of obtaining the best building. Some gentlemen thought it would be better to throw the competition open to all the world, and that those competing should not receive remuneration. But from that view he entirely dissented. He thought the best men and the most experienced and skilled would not be likely to give their time and study to this question had they not been provided with the means to cover the expenses of their design. That view was fortified by the fact that out of the twelve architects who accepted the invitation, two had not sent in designs. This probably arose from pressure of business and unwillingness to undertake labour without remuneration. There had been no want of definiteness in the instructions, so far as the necessary conditions were concerned. With regard to the Courts of Justice, the number of courts and the number of rooms that would be required had been previously determined. But in the case of the National Gallery the number of rooms was not settled, and the size of the rooms and the mode of lighting the galleries were left to the discretion of the competing architects, except that the galleries were not to be less than fifty feet in width. They were told that the space on the map given to them was to be covered, and they were to make their arrangements accordingly. He thought that if the architects had been limited to a definite number of rooms, and the size of them, they would have had cause of complaint on the ground of being unnecessarily restricted. The collection of drawings at the British Museum, and the cartoons at Hampton Court, might some day be added to the National Gallery. It was not known whether all the pictures vested in the trustees would be exhibited in the National Gallery. He thought that those pictures of the modern masters which were of acknowledged merit, and were of historical interest as illustrating the progress of art, should be selected and placed apart to represent the British school. But modern pictures of inferior merit ought not to be exhibited with the ancient masters. The competing architects could not have been informed what number of pictures would be exhibited in the Gallery. He could not agree in the opinion which had been expressed that this competition had not been of great use. He thought that materials had been collected which would pave the way to an ultimate decision, and he hoped the time had arrived when this delay and vacillation would come to a close. He felt confident that the solution of the question had been greatly assisted, and not retarded, by the course adopted last year, and he thought it would be competent to the noble Lord the First Commissioner of Works to propose a measure which would meet with the general approbation of the House.

MR. BERESFORD HOPE said, the architects had come forward as feeling themselves ill-used by the judges and by the Office of Works, because not one of them had been selected by the judges for the performance of the work. As himself one of the Committee of Advice named by the First Commissioner, commonly called the judges, he traversed the assertion. The architects, indeed, contended that some pledge had been given them by the right hon. Gentleman the Member for Hertford, at that time First Commissioner of Works, without which they would not have engaged in the competition. But the noble Lord the present First Commissioner of Works had not only found no such pledge among the records of his office, but he had found documentary proof that the contrary was the fact. The judges at the outset determined not to proceed without further instructions given to themselves in writing. They had before them the instructions given to the architects, which they certainly found to be very vague. In the first place, the architects were told that they would have to combine the "requirements of a picture gallery with proper architectural effects," a very proper condition, but one which architects worthy of the name would have forseen for themselves. Then, the paper was filled with a variety of details about closets, the keeper's lodging, until the galleries themselves were summed up in a few meaningless generalities. Moreover, all the competitors were misled with the virtual promise of obtaining the site of the barracks, which as now appeared was highly improbable. Finally, they were told that the First Commissioner "would not engage himself to adopt any of the designs sent in," "but if any of the designs be adopted," the instructions ran, the designer of the selected plan would be employed "to carry it into effect." The House would clearly see that the whole matter turned on an "if" and on an "it." Having considered the instructions framed for the architects, the Committee were, as he said, at a loss what to do, and consulted the First Commissioner of Works, who concluded his reply as follows:—

> "Adverting to the last paragraph of the instructions to architects, the judges will be at liberty, should they think fit, to refrain from recommending any one of the competing designs for adoption by the Government."

The Committee proceeded to act upon this, and, although they found in the designs, as they specifically stated in their Report, much merit, it was apparent that those difficulties and the incompleteness of the instructions were too much for the competitors, and that they had, accordingly, broken down. The Committee reporting accordingly, said—

> "While we readily acknowledge the architectural skill shown by the competitors, and the meritorious manner in which many of the difficulties of these requirements have been met, we are bound to say, after full and mature deliberation, that we are not prepared to recommend any one individual design for adoption by your Lordship."

The only blame conveyed by that sentence was that the architects had not shown themselves superior to an impossibility; they had not succeeded in making their bricks without straw. The Committee concluded their Report on the designs by naming two gentlemen, one of whom, Mr. Edward Barry, had produced the best design for a new gallery, and the other, Mr. Murray, the best adaptation of the existing gallery. That, he contended, was all that could be expected of the Committee, since they were not an incorporated body of judges, armed with the powers conferred by an Act of Parliament, as were the five gentlemen appointed to report on the designs for the Law Courts. The responsibility of a final decision rested on the shoulders of the First Commissioner of Works, whom the Special Committee had been simply appointed to advise. No one it was clear could blame him if he called in one of those two gentlemen. Upon the possible decision of the Commissioners somehow oozing out, dissatisfaction was expressed by the architects, who met together and communicated with the late Commissioner of Works (Mr. Cowper), thereupon he wrote to Mr. Austin, the Secretary of the Board of Works, saying—

> "A rumour has reached me that the judges appointed are not disposed to perform the duty expected of them by deciding which of the competing designs is the best."

That was evidently written under a misapprehension as to what the duty of the Commissioners was. The right hon. Gentleman proceeded in his letter to say—

> "The expectation held out to architects to induce them to compete has always been that an impartial decision would be made and published between the competing designs, and that the successful competitor would be engaged as the architect of the building, even though the identical design was not adopted."

The instructions to the architects, however, made no such announcement. On the contrary, the House would observe the peculiar inconsistency which exists between these statements, and the instructions on which they profess to be based. These instructions saved the First Commissioner from the obligation of adopting any of the "designs;" but if he did so, the author was to be employed to carry "it"—namely, that design — not some other one by the same architect—into effect. Now, the right hon. Gentleman repudiated the adoption of the "identical design," and only urged the employment of its author. This was the wiser idea; but it was distinctly not the idea of 1866. The right hon. Gentleman concluded as follows:—

> "But, whatever the First Commissioner may ultimately determine as to the selection of the architect of the National Gallery, I think he ought at once to explain to the judges, if he should not have already done so, that it is their duty to declare the winner of the race even though they may form a low opinion of the running; and that they would inflict a heavy and undeserved professional stigma upon these architects, if they were to declare themselves unable to make an award."

Now, he did not pretend to be as horsey as his right hon. Friend, still he could not subscribe to this declaration, inasmuch as the adoption of the course he recommended would have led to passing on the competitors a most undeserved professional stigma. The Committee had dealt more generously with the architects. The right hon. Gentleman wanted the judges to declare that the running had been excessively bad, but that they were yet bound to declare the winner; the judges, however, declared that the running had been altogether creditable, but that, as the Jockey Club, represented by the late Commissioner of Works, had drawn up such an impossible set of conditions, the judges were bound to decide that the race was null and void. He noticed that the architects who memorialized the First Commissioner of Works on the subject had made use of one adjective which was a little too strong. They said in their final letter—

> "We agreed to enter the competition on the distinct understanding with your Lordship's predecessor, the right hon. W. Cowper, that one of the competing architects would be selected for employment; and we most respectfully represent to your Lordship that a contrary course would be a breach of faith with us, and would confer a lasting injury upon every one of the competitors."

While not at all demurring to the general tone of this remonstrance from the architects' point of view, he must say that, from all the facts of the case, he was bound to conclude that there was nothing "distinct" about the arrangement at all; everything was left in an hypothetical condition; everything was in haze and confusion; but he hoped that the architects would not be damaged by this slight over-statement. The fact was the judges found entanglement, contradictions, and delusive expectations from the beginning to the end of the case, and they made the best Report in their power, leaving the ultimate decision to the First Commissioner, as their duty required of them. He hoped that the Minister would profit by the experience of the past in regard to that matter; that the instructions issued with reference to it to the fortunate man should be clear and precise; and that the bargain made with the architect, both financially and artistically, should be definite and intelligible. Finally, there must be no tinkering; no patching up of the present building. Not only was it bad as a whole, not only since the ill-starred destruction of the central hall was it totally wanting in internal dignity; but the general arrangement, which created a false ground floor up steps upon the real second story was singularly inconvenient. It must come down, and a new gallery rise, and then they might hope to have a building in which their pictures would be housed well, and which would also be an ornament to the metropolis, and an honour to the nation.

Mr. TITE said, that as one of those who had been called in to act as judges in respect to these designs he wished to make a few remarks. There could, he thought, be no doubt that the competition invited by his right hon. Friend (Mr. Cowper) was intended to be a competition which should end in the selection for employment of one of the architects taking part in it. It was true £200 a piece was paid to the architects, and it was a condition that the drawings of all kinds should be the property of the Government. But it could not be supposed that men of such professional standing entered into that competition merely to obtain a paltry sum of £200, which would hardly pay for the paper and the framing and glazing of their drawings. It certainly would not remunerate them for their office expenses. No doubt it was fully meant that the most successful man should get the prize. Notwithstanding what had unfortunately occurred, there was no reason why that could not be carried out now. The judges reported that the design of Mr. Barry was the best for a new National Gallery, and that of Mr. Murray for the alteration of the existing one. He did not quite agree with the latter view, being in a minority with his hon. Friend the Member for Stoke on that point, and he hoped the Government, to whom the matter was now relegated, would take the matter anew into consideration. The question with respect to the Royal Academy was in course of solution by the happy suggestion of Sir Francis Grant and the adoption of Burlington House, and the result as to that would, he trusted, be satisfactory to the country. But the question in reference to the National Gallery had been pending for many years, and it was now high time that something decisive should be done. He hoped the Government would really take the matter into their serious consideration. It was idle attempting to patch up the old building or trying to turn it into anything that would be creditable to the nation. Any attempt of the kind would neither be wise nor economical. Let them take down the present Gallery, and erect a new one which would be an honour to the country. The proper course for the Government to pursue, he (Mr. Tite) would venture to propose, would be to take into their counsels the Council of the National Gallery, the President of the Royal Academy, and architect who were competent to advise them. But if the discussions of late years were to be continued, none of them would live to see anything whatever done in this matter. The drawings sent in by the competing architects were drawings of eminent beauty and excellent as works of high art; but he could not, under the circumstances, do otherwise than join with those who did not think them fitted for a National Gallery. If what he and his associates had suggested were well carried out, they would have a good gallery, creditable to the nation. There might be difficulties experienced in building a new gallery in consequence of the great irregularity of the site; but the difficulties would disappear in the hands of a competent architect with the guidance he would obtain in the way suggested.

Lord ELCHO said, that as a Member of the Committee which sat on these designs, he had no complaint to make of the tone of the present discussion. No criticism had been passed on the decision of the Committee, which was supposed on the whole to have decided pretty rationally and well, according to its lights and to the instructions it received. But though he was a Member of the Committee which sat upon those designs he was likewise a Member of the House of Commons, and could not refrain from remarking that his hon. Friend had implied that there would be a breach of faith on the part of some one unless one of those professional gentlemen was employed. He looked back at the printed instructions issued to the architects, and it appeared quite clear to him that there was no understanding come to with them that any one of them should be employed. They were asked whether they were prepared to send in designs according to the instructions, and those instructions stated that the First Commissioner of Works did not engage to adopt any of the designs which might be sent in, but that if any one of them was adopted, the author of it would be employed. [Mr. Goldsmid said, he referred to a letter that was afterwards written.] That letter came a year later, or in 1867 instead of in

1866, and when the architects received the instructions, saying that the First Commissioner of Works would not hold himself bound to adopt any of the designs, they ought to have taken objection then, and not afterwards. There was no ground, therefore, for alleging that there had been a breach of faith towards them on the part of the Government. With regard to the general question, he much regretted the position in which it stood. Where the blame lay it was not for him to say. Sometimes one heard that it was due to the House of Commons, and at other times to the Executive, but he was disposed to think it rested with both. The erection of a new gallery at Burlington House would have been the best solution of the question. The position, however, in which the matter now stood was this:—it had been determined the pictures should remain in Trafalgar Square. They had a gallery which he might almost say was discreditable to the nation, and every one felt that it ought to be removed and a proper building erected. If he were in his noble Friend's (Lord John Manners) place, he should be inclined to ask those two gentlemen who had been recommended by the Committee as having shown the most talent and produced the best designs, whether they were willing to try their hands again, and send in designs both for the adaptation of the old and the erection of a new building. He did not think that it would be wise to decide on sweeping away that which we had and to incur a larger expenditure, unless we saw the designs of the new building in black and white. He would therefore suggest that the architects should be invited to send in alternative designs, the one relating to the adaptation of that which was already in existence, the other to the erection of a new building. If it were found that anyone of the designs for a new building was such as to justify a larger outlay for that purpose, by all means let it be adopted; but if not, perhaps it would be better to take up some minor scheme.

Sir GEORGE BOWYER said, he could not imagine that any public officer could be held to have pledged the country to incur a great expense before he had seen the plans and designs which the architects were about to send in—while they were yet *in nubibus*. That would virtually be buying "a pig in a poke"—a course which that House would, he felt sure, never approve. There was no doubt that some of the designs which had already been sent in possessed considerable merit; but there was not one of them which he should like to see adopted for a National Gallery. This idea of a National Gallery was that the style of architecture should be chaste and plain, and that the proportions should be good, without any attempt being made at the picturesque. The chief faults of these designs were, that there was not among them a good sound general design for such a building. Some of them contained reproductions of particular parts of cathedrals and castles of different character, and there was observable a remarkable profusion of ornament. A building which was overloaded with ornament was spoiled. Such was the fault of the new Foreign Office. What a building ought to show was perfect proportion of all the parts, and adaptation to the purposes for which it was intended. There was a palace erected at Vicenza, by Palladio, with his usual pure taste, to which another architect had subsequently added a great many ornaments; but it was admitted by every one who was competent to judge of such matters, that the original beauty of the building was, as a consequence, greatly impaired. It should also be borne in mind that extensive ornamentation involved enormous expense, and he trusted no such false principle would be adopted in the new designs for a National Gallery. He might point to the Banqueting House at Whitehall as a building the outlines of which were of great beauty, although it was somewhat overlaid with ornament, and he should suggest that that simplicity of style afforded the best model for imitation.

Mr. COWPER said, he wished to explain that the only object which he had in view in inviting tenders from the twelve architects in question was to ascertain which of them was possessed of the greatest skill for erecting such a building as was required. In the conversation which had incidentally taken place between him and one of those architects, he had stated it to be his intention to engage the services of whoever might turn out to be the most successful. He did not deem it necessary to make a formal memorandum of that conversation for the office, nor had he been asked by any of the architects to put it into a formal shape.

Captain GRIDLEY said, he thought the difficulty which had arisen might be solved if the noble Lord (Lord John Manners) would return the whole of their present plans and specifications to the competing architects. He might then give them an opportunity of preparing others in an amended form, from which the plan most satisfactory might be selected. He thought the Government would not be dealing fairly with the other architects if they did not give them all an opportunity of remodelling their plans. This would be the fairest arrangement, and he hoped the noble Lord would take it into his consideration. He was sure the House would not grudge the necessary expense.

LORD JOHN MANNERS said, that although it was true that in the multitude of counsellors there was safety, if he were called upon to come to an immediate decision he should feel rather bewildered with the various suggestions which had been made in the course of the discussion. The hon. and gallant Gentleman who had just sat down recommended that all the competing architects should be invited to re-model their plans, try again, and, as a consequence, that the Chancellor of the Exchequer should provide a sum of money to remunerate them for their trouble. Other hon. Gentlemen had been good enough to make other suggestions of quite another character. Therefore, whatever course he might ultimately adopt, it must fail to give satisfaction to some. He wished to express the obligations he felt towards the Gentlemen who had been kind enough to accept the office of judges. They had rendered the public a great service, at no little inconvenience and annoyance to themselves. Not only had they come to a right decision, but their judgment was ratified by public opinion and by the opinion of the House, as elicited during the discussion. The recommendations inserted in their Report were extremely valuable, and they would tend to render the building which might ultimately be erected far more satisfactory than it would have been without them. With regard to the remarks of the hon. Member (Mr. Gregory), he could not concur with his hon. Friend in thinking that there was any immediate pressure. The ground on which the gallery was to be erected, was not yet in the possession of the Government. The Bill enabling them to acquire that ground now stood for second reading; but, in all probability, a year and a half more must elapse before the ground itself would be in the possession of the Government; therefore, there was no such immediate hurry in the matter. The discussion which had just taken place showed how very various were still the views of those most competent to express an opinion on the subject. It would be a very rash proceeding on his part if, at the close of such a discussion, he was to jump up and state what he intended to do —that he would recommend the Government to take this or that particular course. One thing which had been suggested had occurred to him before, and he intended to act in accordance with it. It had been proposed that the Trustees of the National Gallery should be consulted more than they had been as to the practical requirements of the building. He intended to put himself in communication with the trustees; and when they should have informed him on those practical requirements, the Government would be in a better position to judge of the whole question. He hoped that, with the assistance already received from the judges' Report, and the further assistance which they would receive from the Trustees of the National Gallery, the Government would be in a position before long to recommend the adoption of some sensible and practical course on the subject. With respect to the very complicated and unsatisfactory position of the competing architects, he thought he should best discharge his duty by saying nothing on that point. The judges who had spoken had expressed very plainly their view of the duties imposed on them; and he did not find that the right hon. Gentleman (Mr. Cowper) very much differed from the opinions which those judges had expressed on that matter. After what had occurred he did not think it necessary to rake up the past, or to re-open healed-up sores. He had every confidence that the course which the Government might take would not lead to heartburnings in the future. He hoped that the building which would be erected after so much consideration would be worthy its purpose and meet with the approval of the country.

Amendment, by leave, *withdrawn.*

THE JEWS IN SERVIA.

MOTION FOR PAPERS.

SIR FRANCIS GOLDSMID said, that he wished to ask the noble Lord (Lord Stanley), whether the communications between Her Majesty's Government and the Government of Servia afforded any hope of an improved treatment by the latter of its Jewish subjects? He (Sir Francis Goldsmid) regretted that he had not received the information on which his Question was founded before the late debate on the Motion of his hon. Friend the Member for Galway (Mr. Gregory.) He (Sir Francis Goldsmid) hoped, however, that for two reasons he should be considered justified in bringing this matter forward. In the first place, everything had now an interest which bore upon the relations of the Turkish Government with its non-Mahomedan subjects. In the second place, although as a general rule he was opposed to discussions in that House on the internal affairs of Foreign States, yet this was not a case in which an expression of opinion by the Government of England or by Members of Parliament could be considered, either in the English or French sense of the word, as officious. By the Treaty of Paris the independence of Servia, subject to the suzeraínty of the Porte, was guaranteed by England in common with other Powers; and therefore they had a right to expect that the conditions upon which that guarantee had been given should be observed. The 28th Article of the Treaty was in these terms—

> "The Principality of Servia shall continue to hold of the Sublime Porte in conformity with the Imperial hatts which fix and determine its rights and immunities, placed henceforward under the collective guarantee of the contracting Powers. In consequence the said Principality shall preserve its independent and national administration, as well as full liberty of worship, of legislation, of commerce, and of navigation."

The House would observe that liberty of worship in the Principality was here expressly stipulated for. But the Greek Christians of Servia appeared to understand by this, liberty of worship for the majority; while the Jews, who were a minority, were now subjected to vexatious restrictions, not only as regarded worship, but also in respect to their mode of living and the occupations which they carried on. Jews had been settled in Servia since the 15th century, when they had been expelled from Spain. During the Government of the Turks they seemed to have been subject to no special hardship, nor whilst Servia was passing from the complete dominion of the Turks to that modified independence which she had now attained. For more than twenty years after 1815 Prince Milosch bore a principal part in the government of Servia. He did not, indeed, appear to have been wholly free from the taint of semi-barbarism; but, at the same time, he was firmly impressed with notions of religious freedom, and during his time the Jews had little cause to complain. In 1842 another dynasty was substituted, and shortly afterwards there was published a decree which was extremely hostile to the Jews. In March, 1856, the Treaty of Paris, containing the stipulation already referred to, was concluded. Yet in October of the same year a decree passed the Servian Senate confirming the previous proscription against the Jews. In September, 1859, Prince Milosch was restored, and he issued an edict declaring that no inhabitant of Servia, whatever his nationality or religion, should be prevented from settling where he pleased, or from devoting himself to commerce or any profession he might choose. In 1861, however, after the death of Prince Milosch, a change took place, and a law was enacted permitting Jewish subjects, who had settled in the interior, to continue to carry on their businesses in the localities where they were domiciled, but prohibiting them from entering into new undertakings. It also prohibited their children from succeeding to their fathers' occupations, and forbade the entrance of new Jewish settlers. Its terms were—

> "Art. 1. All Jewish subjects of Servia, who in virtue of the law of September 1859 have settled in the interior of the country, or who may settle there between this day and the 28th of February, 1861 (the date fixed for the coming into force of the law which forbids any further accession to the number of Jews inhabiting the interior), and who have established, or who may establish, a trading business there, are allowed to continue their residence and their business, but only in the localities in which they are domiciled. Art. 2. Israelites inhabiting Servia, who up to the present time have been engaged in retail trade only, who have not been manufacturers, and who have not sold articles of food, shall not in future be allowed to commence either of the two last-mentioned businesses within any part of the Servian territory. Art. 3. The right of sojourning in Servia, and of carrying on trade in the country, shall be enjoyed exclusively by such Israelites as shall be settled in the country previous to the 28th of February, 1861; they only are allowed to carry on business, or to exercise a profession. This right is not transmissible to their heirs."

The 4th Article related to the liberty of trade, and it forbade the Jews to trade in houses or lands in the interior, without special authorization, under penalty of the application of the law of the 30th of October, 1856. Some hon. Members had, in conversation with him, expressed a doubt whether such a law as he had just read could really have been passed; but he could assure them that it was not only genuine, but was being enforced with increasing rather than with relaxed rigour. If these things were to be ascribed to religious bigotry, they might call to mind the language which the great Spanish novelist put into the mouth of Sancho Panza. "I am an honest man," says Sancho, "and a Christian whose fathers were Christians before him. I hate Jews mortally. What more is necessary in order to deserve eternal happiness?" He (Sir Francis Goldsmid) was certain, however, that he might venture to inform the Servians that Sancho's doctrine was not that of Western Europe in the latter half of the 19th century. But further, he was assured, and he believed the Government had received similar assurances, that to ascribe the treatment of the Servian Jews to religious bigotry would be to give the Servians greater credit than they deserved. Their conduct really originated in a jealousy of Jewish traders, who either from being more clever in business, or from being contented with smaller profits than their competitors, were able to supply the Servian peasants with the necessaries they required on cheaper terms than their rivals. It was thus self-interest which was clothing itself in the garb of religious zeal—a kind of hypocrisy more contemptible than bigotry, if it could not be more mischievous. Great distress had been suffered by a number of Jews through the bombardment of Belgrade, their houses being situated almost under the guns of the fortress; and though the Servian Government might not be responsible for that bombardment, it was their oppressive measures which had obliged a large number of Jews to reside in that quarter of the town, and by interfering with their means of livelihood had reduced them to destitution. The exhibition of such intolerance ought to be well considered by those who wished this country to forego its old Eastern policy. The testimony of the hon. Members for Southwark and Bridgwater (Mr. Layard and Mr. Kinglake), of Viscount Strangford (a nobleman who it was to be regretted did not oftener give to the House of Lords and the country the benefit of his intimate knowledge of the East), and of other gentlemen best acquainted with Turkey, went to show that while our own notions of toleration nowhere existed in that country, the Mahomedans were much less inclined to oppress the Christians and Jews than the Greek Christians were to oppress all who differed from them, whether Protestants or Roman Catholics, Jews or Mahomedans. Persecution would not be diminished by giving independence to the Christians; but its direction would simply be changed, and its virulence and intensity probably increased. Those semi-barbarians, reversing the maxim of the Roman poet, had learnt from the oppression which they had endured no other lesson than this, how best to avail themselves of the first opportunity of inflicting similar oppression upon others. He hoped the Servians would be made to understand that they would receive no further sympathy from England unless they conceded to others the rights which they were ready enough to claim for themselves. He acknowledged with gratitude the friendly remonstrances which had been offered by the noble Lord (Lord Stanley) and by his predecessors in office. He did not call upon the Government to take any action in this question beyond persevering in that course; but he hoped that the discussion of the subject in the British House of Commons would have a moral effect. He expressed a confident hope that the noble Lord would be found ready to offer again words of friendly, though earnest, remonstrance on behalf of the unfortunate class whose case he (Sir Francis Goldsmid) had brought to the attention of the House.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of any Correspondence between Her Majesty's Minister for Foreign Affairs and Her Consul General in Servia, respecting the condition and treatment of the Jews of that Principality,"—(*Sir Francis Goldsmid,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. DARBY GRIFFITH said, the hon. Baronet might be certain of the sympathy of the House in the matter he had brought under its notice. Having taken some interest in the country to which the statement referred, he (Mr. Darby Griffith) should be the last to excuse any such persecution as that described. Interested as the hon. Baronet was in this subject, if he had remained up to a recent period ignorant of the facts, others might be excused for not being acquainted with them. Certainly he was taken very much by surprise. He should have hoped that those who had suffered persecution as the

Servians had would have learnt a lesson of mercy; but the perversity of human nature taught exactly the opposite lesson. We had acquired a moral right to offer a remonstrance in this case to anything we conceived opposed to the principles of humanity. That rested upon the Treaty of Paris, and upon the part we had taken on all occasions with the greatest impartiality to introduce peace and comfort into those countries which were partially under the Turkish rule, and partially emancipated from it. While, however, he condemned the conduct which had been described, he could not fail to notice that the hon. Baronet had spoken of no flagrant cases of oppression, and no doubt what had occurred was attributable to trade jealousy. He could not refrain from expressing his opinion that throughout the whole of the negotiations in reference to Servia the noble Lord at the head of the Foreign Office (Lord Stanley) had displayed extreme tact and judgment.

Mr. GREGORY said, he thought his hon. Friend had acted perfectly right in bringing before the House the wrongs of his co-religionists, and he was sorry to hear the statement that had been made. It was a grievous thing that the noble and gallant people who had for so many years been engaged in a conflict for liberty themselves should have been so oblivious of the causes of that conflict as to oppress a race of people within their borders solely on the ground of religion. The Jews, wherever they settled, were a quiet and orderly people, turning their attention to trade, and engaging in no intrigues. He hoped that this discussion would meet the eyes of the wise and liberal Prince who governed Servia, feeling confident that he would take the matter into his consideration, and show his people that the sympathy of Europe with the Christians in the East extended to every race of people whatever their religion who suffered on account of their religion. A favourable opportunity was now presented for interference on our part. The Prince of Servia in the course of a very few days would be in Constantinople, and it might be possible for our representative at the Sublime Porte to lay before his Highness what transpired this evening. If that were done he felt certain, from what he knew of the character of the Prince, that a complaint so well founded would not be allowed to go long unremedied.

Lord STANLEY: I have no objection whatever to lay upon the table the papers for which the hon. Baronet asks. They will contain all the information that exists, or, at any rate, that is in our possession on this question. As these papers will shortly be before the public there is less reason for me to trouble the House at any length. The hon. Baronet has adverted to the most material features of the question, and I believe that his statement is fair and accurate. I am quite sure that the feeling of the House will be unanimous in cordially and sincerely sympathising with the object he has in view. I quite agree that we have a moral right to give advice to the government and people of Servia. I should not rest that right so much on the stipulations of the Treaty of Paris. I think we may fairly rest it upon the efforts which not England alone, but Europe collectively, has made on behalf of the Servians in order to remove that foreign occupation of Belgrade which was the constant and fruitful cause of irritation and annoyance. I can only confirm what has been stated by the hon. Baronet as to the laws now in force in Servia regulating and restricting the occupations of the Jewish community; and I do not think that the hon. Baronet has characterized those laws in terms which are too strong for the occasion. I am afraid it is impossible to deny that the conduct of the Servian people in regard to the Jewish community residing amongst them has been utterly unworthy of a people who reasonably and justly aspire to take their place amongst the civilized communities of Europe. I say the conduct of the Servian people, rather than the Servian Government, because, if I am not misinformed, it is much more a case of popular prejudice and popular bigotry than any intentional impolicy on the part of the Government. I believe that the Government will be willing to do what is fair and reasonable in this matter if they are assured that they can do so without coming too strongly into conflict with popular prejudices. The existence of these prejudices is the more discreditable, because the Servians ought to remember that no people have spoken more strongly on behalf of their nationality—none have shown more impatience of oppression, of anything like foreign constraint or domination—and none have appealed more freely or frequently to the general feeling of Europe on behalf of Christian races than themselves. I think this discussion, however short it may be, will do good. A state like Servia—a half-civilized community—is always peculiarly sensitive to European opinions, and I think in that respect also the publication of the papers will be useful. The influence of the British Government, whatever that influence may be, has been exerted, and will for the future be exerted in Servia, and we hope everywhere else, in the cause of toleration and humanity. We must, of course, do this not dictatorially, but unobtrusively and quietly. Above all, we must not suppose that in a day we can overcome the rooted prejudices of years. For my own part, I have great confidence, not so much in diplomatic representations, as in the pressure of general European opinion, which as nations come more and more into contact with each other is brought to bear on every community and every people. With regard to the suggestion which the hon. Gentleman opposite has thrown out, that of taking the opportunity of the visit of the Prince of Servia to Constantinople, I think it is very judicious. I might suggest that any memorial or representation from the Jewish community, either of Servia or of Europe at large, will receive the support of the British Ambassador.

Mr. LAYARD said, he cordially agreed with everything that had fallen from the noble Lord. During the time he was at the Foreign Office, the hon. Baronet and that distinguished philanthropist Sir Moses Montefiore were constantly in communication with him on the subject of the ill-treatment of the Jews in Servia; but his hon. Friend with great good taste and good feeling was unwilling to bring the question before the House of Commons, hoping always that the representations which, by the direction of the Foreign Office, were made to the Servian Government by the British Consul General would have the desired effect. Unfortunately his hon. Friend had been disappointed, and the only resource left to him was to bring the matter under the notice of the House. He quite agreed in the opinion that the publicity of this discussion would have its effect in Servia in removing the vexatious and unjust laws and restrictions affecting the Jews. The Jews in the East formed a much larger community than perhaps the House was aware of. When banished from Spain by the bigotry of that country, they took refuge in large numbers in Turkey, and they had always been treated by the Turks with considerable fairness and moderation. In Constantinople there were many Jews, several of whom had risen to great wealth and influence, and had been employed by the Turkish Government. The great enemies of the Jews in Turkey were not the Mahomedans but the Christians. The animosity did not arise from the competition in trade, but depended mainly upon bigotry. His impression was that Jews were practically unable to reside in Greece on account of the persecution and ill-treatment to which they were subjected. Such was the persecution of Jews by the Christians in Turkey, that during Easter week they were obliged to keep within their houses, for if they ventured into the streets they would run the risk of being murdered. That was even the case in Smyrna, where perhaps the most civilized Christian population of the East resided. This was really a very shocking state of things, and it was an unfortunate necessity that the only Government in the East capable of keeping order amongst the Christians and Jews was the Turkish Government. If they would go to Jerusalem in the Easter week they would find that this was perfectly true; and that Turkish troops had to be sent even into the Holy Sepulchre itself to prevent the Roman Catholics cutting the throats of the Greeks, and the Greeks from cutting the throats of the Roman Catholics. In all communities where there were Jews they were placed upon the municipal councils; and in certain provinces Jews, Christians, and Mahomedans were equally represented in those councils. He trusted that what had been said that night would go to the East; and that both Greeks and Servians would learn that they would not be supported by this country if they persecuted others because they did not agree with them in religious opinion.

Amendment, by leave, *withdrawn.*

ADMINISTRATION OF JUSTICE (IRELAND).—MOTION FOR PAPERS.

Sir JOHN GRAY: Sir, the Question which I have put upon the paper is one to which I am certain the House will give its most anxious attention, as it refers to an alleged offence against the administration of justice in Ireland. This House has at all times shown the greatest anxiety that the administration of the law should not only be beyond reproach, but above suspicion. The case which I am about to bring under the notice of the House is one of such a character that it can hardly be rendered intelligible within the limits of a mere Question; and I shall, therefore, have to trespass somewhat at length upon your indulgence in order to place the House in possession of the facts which have given rise to the remarkable judgment referred to in my Question. The House will, I am sure, recognise at once that one of the highest functions which it has to discharge is to see that the laws which it assists in making are administered even-handedly as between all classes of Her Majesty's subjects. The importance of having good laws made is great—inexpressibly great—but of what value are good laws if the Executive fail to administer these laws in a spirit of perfect equality, recognising no distinction of persons, but dealing out justice with an even hand to all? The complaint, which is substantially put in the form of a Question to-night, is not a complaint which comes from any disappointed suitor, or from any person who has failed to escape a punishment which he had hoped to avert. It does not come from any advocate engaged on one side or the other. It does not come in a factious form from the member of any local party. It does not come from any person who may reasonably be assumed to have a particular bias one way or another. It does not even come in the shape of a report to which any of the privileges of impunity attached to a private report belongs, and which almost amount to licence. But it comes direct from the judicial bench. It is the open, plain statement made from the judicial bench in the public court, before the assembled county, jurors and people, by one of the circuit Judges of Assize in Ireland, and in effect amounts to an assertion that justice has not been done, and that the administration of the law has been partial and one-sided. Considering that the person who makes that charge is officially commissioned by Her Majesty to pass from county to county in Ireland for the purpose of administering the laws—that he is a personage who has been for a long period conversant with the administration of the law in all its branches, who filled the offices of Solicitor General for Ireland, of Attorney General for Ireland, and who for twelve years has filled the office of one of Her Majesty's Judges in Ireland, his words will not fail to impress this House with a sense of the gravity of the case. During the whole period for which that learned Judge has occupied a seat on the judicial bench, I think hon. Gentlemen opposite as well as Gentlemen on this side of the House will admit that no complaint has ever been made with respect to the able and impartial manner in which he has discharged his duties. He is not personally unknown to this House. He long sat as a Member in this House, where he was admired for his ability, his clearness of intellect, his frankness and his readiness to deal with every subject in an impartial spirit; and when I read to the House the observations he has made in reference to the manner in which the law has been administered in one of the Northern counties of Ireland, I am sure the House will not fail to give attention to his complaint—his judicial complaint—and to deal with it in such a manner as to vindicate its own honour and satisfy the country that an impartial administration of the law will be recognised by this House as one of the first objects it has to secure for the subjects of the Queen. I feel, Sir, that I cannot put the Question better before the House than by reading the observations which were made by Mr. Justice Keogh, at the recent assizes, held at Omagh, in the county of Tyrone. These observations are somewhat long; but it is only by reading them to the House in full that I shall be able to make the important interests involved clear to the conception of the House. On the occasion to which I refer, Mr. Justice Keogh said—

> "I have now been for twelve years on the bench, and never, during the course of that time, had I ever so painful a duty as now. I do not wish to be considered as sitting in judgment on the act of the magistrates who first heard this case at petty sessions, or to assert positively that they had not discharged their duty. But it will become my duty in another place to bring the facts of this case under the notice of the Lord Chancellor of Ireland. He is at the head of the magistracy of the country, and it remains with him to determine who are fit and who are utterly unfit for the discharge of their important duties. I do not say to which category the magistrates who sat at Donoughmore petty sessions belong. I am sitting here to preserve the peace of the county, and it is melancholy to observe that here are two informations made by members of the constabulary force, to which nearly every Grand Jury in the country have been paying tributes, and well-merited tributes, of respect for their gallant conduct in preserving the peace of the country. The informations before me show that the peace of this Donoughmore district was disturbed at nine or ten at night by a faction to the number of 120 men who are

called Protestants. I wish to God that in the discharge of my duty I had never to mention the words Catholic or Protestant. But here 120 men of this so-called Protestant party invade the district, and constable O'Neill says that he and sub-constable Thackaber followed the processionists, who were marching to the music of fifes and drums for half a mile. Then they are joined by the Castlecaulfield party, who have also fifes and drums. They are all headed by two men, one on horseback, and O'Neill asked them to stop the music. They said they would do so, and halted. The constable feared there would be a collision with the Catholic party, which, however, had not then assembled in force. Reney then came up, catches the constable by the breast, and says to the party, 'Beat on, we'll not stop drumming.' The procession then marched off towards the Cross-roads, where they were attacked by the Catholic party, who ran out of their houses when the chapel bell was tolled. These are the short facts of the riot. What follows? The case comes before the magistrates, and that intelligent constable (O'Neill) tells us that he identified six of the Protestant party, and yet not one of their names is returned in the informations of the police except Stinson Reney, who appears to have been the leader of the band, who told his party to 'beat on.' And yet, I say, he is sent here merely for committing an assault, as if everything else he did was justifiable and proper."

A gentleman, Mr. Lyle, one of the magistrates who acted in the case, and who was present, here interrupted the Judge with some observation. Judge Keogh proceeded—

"I will not hear another word, sir, on the subject. I will do my duty here fearlessly, not regarding whether these parties are Protestants or Catholics, but with regard solely to preserving the peace of the country. I have now to pass sentence on these men, but I do so, perfectly convinced that the aggressors in this case—the really guilty parties—are not before me. It is grievous and lamentable for this country, when such things can be done with impunity. The police—I am bound to say a body inadequately rewarded for their exertions in preserving the peace of this country—in this case did their duty: but I know who are wanting in this case for the interests and peace of this country."

The Judge then addressing the prisoners—and I beg the House to take particular notice of these words—said—

"Notwithstanding the deliberate attempt to keep it back, I have now before me the whole truth, and the facts of the case. It appears that you were not the originators of the riot; but I can see what party was really to blame in this transaction. I care for neither. I care not who regards the line of conduct I am adopting; for I can see where the line of strict justice should be drawn in this case. The men before me were not the instigators of this riot; but others who are absent now. If I had them here I should know how to deal with them. Justice is not to be one-sided—one-handed. Let the people of this country know it, that so far as the Judges of the land are concerned, fair and impartial justice shall be meted out to all. I take it for granted that you were all at your houses when this lawless band were among you with music and arms, and that you collected hastily to repel a superior force. The constable says your party were not so numerous as the invaders. But I wish to impress on you that you acted foolishly, nevertheless. You, by leaving your home, played their game; for had you stayed indoors, and let them play away at their party airs, you would not now be standing in the dock. Therefore, learn wisdom for the future. Keep within your houses, but watch their movements doggedly, silently, and determinedly, and when they break the laws appeal to the laws of your country, and I tell you that you will find them able to protect you. You have also the constabulary at hand for your protection. Are they not able to do so? In other places one of them has been found equal to sixty disaffected persons, and, if encouraged by those whose duty it is to do so, they can protect the well-disposed as effectually in the North as in the South. But I know not what to say if it shall happen that those in authority shall consider it necessary to make one party amenable to justice in such cases as this, and let the others escape. It is due to the law that you prisoners should be punished; still, having regard to the circumstances of the case, the sentence of the court is, that each of you be imprisoned for one calendar month, and kept to hard labour."

Now, I ask this House to remember that this is a declaration—a judicial declaration, made in open court, made before the Grand Jury of the county, made before the petty jurors of the county, made, I may say, before the whole assembled county by the representative of the Sovereign, presiding in that court to administer justice—that injustice had been done, that the guilty parties had been let off, and that the parties least guilty were transmitted for trial in such a manner as to be in danger of receiving the most severe punishment. Those who have followed me in my reading of the statement of Judge Keogh will observe that he says the parties on each side were equally identified by the constable, who appeared as a witness at the petty sessions court. As I am anxious that the whole of this case should be laid fully before the House, and that I should not hold back any mitigating circumstances, my sense of justice induces me to read the statement of Mr. Lyle, one of the magistrates who was present at the petty sessions, in which he defended the course of his brother magistrates. He occupied the chair on the occasion, and he denies that the parties were identified, though Judge Keogh said there was sufficient identification to justify informations being returned against each of the parties. Mr. Lyle said—

> "They were most anxious to forward the ends of justice, but the identification of the parties alluded to by the constable (the Protestant party) so totally failed that they could not send them for trial. They were strangers, and came from another part of the country, while the others (the Catholics), being residents in the locality, were all known to the police."

That is the statement of the gentleman who avowed that he occupied a seat on the bench at the petty sessions court when one party was discharged and the other sent for trial. He admits that the charge against the two parties was the same—that is to say, for riotously and unlawfully assembling, and he defends the conduct of the bench by the assertion that the identification failed, and that because of the failure of identification, and because of that alone, the rioters were not sent for trial. This, then, is the statement—this the defence, made by one of the magistrates. Now, mark what follows. There was present in the court at the time this defence of the absence of identification was set up, the witness O'Neill; and, after hearing the assertion of Mr. Lyle, Mr. Justice Keogh called O'Neill up. He was then sworn, and gave the following testimony:—

> "Constable O'Neill (to the Court)—I swore positively to Reney (Reney was one of the Protestant party), and identified him. I know him as well as any man in the dock.
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> Court—Did you identify any others of what is called the Protestant party?—I did, my Lord, six of them.
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> Court—And did you know them as well as the men in the dock?—I did, my Lord."

In dealing with this matter I have endeavoured to do so with perfect frankness, and have laid before the House the statements of both sides—the statement of the Judge, the denial of the magistrate, and the evidence of O'Neill. You have the assertion of one of the occupants of the bench of magistrates, not that the parties were not charged with the same offence, but that the offence charged was one and the same. The Catholic and the Orange parties were both before the magisterial bench at Donoughmore, charged with the offence of riotous and unlawful assemblage, and the defence set up by Mr. Lyle, on behalf of the magistrates was, that whilst O'Neill perfectly identified the Catholic party, he altogether failed in identifying the Protestant party. Thus, we have on one side the evidence on oath of the constable O'Neill that he did identify all the parties, and, on the other side, the statement of the magistrate, that there was no identification—one on oath, the other merely the assertion. Of course, I do not wish to cast any imputation upon the accuracy of the magistrate's memory; but as there is a discrepancy between his statement and O'Neill's oath, I wish to bring before the House what appears to me to be the strongest and most conclusive corroboration of the accuracy of the sworn testimony of constable O'Neill before Judge Keogh. I hold in my hand the report of the proceedings of the magistrates at the petty sessions referred to. They assembled on the 1st of October last, and six Protestants and nine Roman Catholics were placed before them, charged with a riotous assembly at Donoughmore on the 17th September. Among the witnesses examined was this very constable O'Neill, who asserted on oath in court to Mr. Justice Keogh that he had not failed to identify the Protestant party; that he knew them well, and that he identified six of them before the magistrates assembled in petty sessions. Now, before the question was raised whether Justice Keogh had made an exaggerated statement or not there was printed in the Belfast papers of the 2nd of October last a report of the proceedings. O'Neill was examined, and in the course of his examination he said "Thornberry," one of the six, "stepped forward and said he would do all he could"—that was, to stop the music and prevent the proceeding of this unlawful assembly to and through the Catholic district. The witness thus plainly identified Thornberry as one of those present, and he then identified each of the Orange party who were summoned as forming part of the assembly, the report saying "the witness here identified the Orange party who were summoned as forming part of the unlawful assembly." Not only, then, have we the fact that the names of two of the six Orangemen are given incidentally in the evidence of O'Neill—which completes the identification of these two men, but we have the general statement of the reporter that O'Neill identified every one of the six then standing in the dock. In addition to that identification, we have the testimony of his brother constable Thomas Thackaberry, who gave this evidence—

> "Sub-constable Thomas Thackaberry was next examined by Mr. Moore, and corroborated the evidence of sub-constable O'Neill. Witness identified Dilworth of the Orange party, and Loughran, M'Kinney, Gillan, and Nogher of the Roman Catholic party, as forming part of the mob."

O'Neill identified every one of the six. The report published in October gives you an accurate statement of the identification, by each of these two witnesses, of all the Orange party then in the dock, as well as the whole of the Catholic party. And what was the course taken by the magistrates? Did they make any observations which indicated that they entertained doubts with regard to the accuracy of the evidence these witnesses had given, or that they thought the identification was imperfect? No such thing. On the contrary, after the case closed, the Crown prosecutor applied to those very magistrates, one of whom denied that there was any identification, and explained the absence of identification by alleging, before Mr. Justice Keogh, that the parties were "strangers," and asked that the two police constables be recommended for promotion. Mr. Brooke, speaking on behalf of the whole bench, said, "we have already recommended them" for promotion. They recommended these very men to be promoted, who, if the statement of Mr. Lyle before Judge Keogh were correct, ought to have been recommended for promotion to the dock on a charge of perjury. This report says that they were recommended for promotion in the force on account of their good conduct throughout the whole of the prosecution, and so recommended after they had identified each and every of the prisoners, including the Orangemen as well as the Catholics, as having been present at this unlawful assembly. But what is the course which was taken by the magistrates with regard to the accused? They ordered informations to be returned against every one of the Catholic prisoners, charging them with the most serious offence; they sent five of the Orangemen home rejoicing in their immunity from punishment, and ordered the sixth, who struck the policeman, to be sent for trial for the minor offence of an assault. That, then, is the conduct which Mr. Justice Keogh reprobates. That is the conduct which I venture to think worthy the attention of this House, and which I say the Lord Chancellor of Ireland ought to examine into, for the purpose of determining who they were on that bench, if any, who, to use the words of Mr. Justice Keogh, were "utterly unfit for the discharge of the magisterial functions." ["Hear, hear!"] I understand that "hear, hear!" from hon. Gentlemen opposite. What we say is, that this case ought to be investigated by the Lord Chancellor. Very recently this House, and, if I mistake not, some of the hon. Members whom I now see opposite, expressed a strong and decided opinion at the instance of Gentlemen opposite, that this House was bound to interpose for the purpose of seeing that magisterial functions were committed to men who were above suspicion. Sir, I contend that that vote justifies me in asking the House to consider this question, and to determine by an expression of its opinion whether or not that portion of the Irish Catholic public, who live in the midst of a large population of armed Orangemen, are to have justice impartially dealt out to them by magistrates who are above suspicion, by magistrates of whom it cannot be said, on the judicial authority of one of Her Majesty's Judges, and in the presence of an assembled county, that there were some who "were utterly unfit for the discharge of magisterial functions." I wish also to justify myself in asking the House to consider this question upon the further ground that this is not an isolated case. Sir, it is only one of a series of cases which occur twice every year from the extreme portion of the North to the extreme Southern portion of the same province. In the same paper which reported the case that has been so severely commented on by Justice Keogh is a report of some proceedings in the adjoining county of Down, which also contains a large proportion of that particular class of politico-religious confederates who are known as Orangemen. At the county Down assizes, according to the report in this paper, there were six criminal cases tried, and out of the six, five were cases of Orange riotous assemblies. I will give you in brief the particulars of these five cases. No. 1 was the case of Scarva, which occurred, not on the occasion of the special anniversary of the confederation, a day which some persons might think afforded an excuse for excesses, though I cannot allow it, but on the 13th of January. In that case the constable proved that several "thousands of persons" assembled, wearing "Orange ribbands," carrying "Orange flags," bearing "swords," and firing shots. These persons were tried under the Riotous Assemblies Act, as were the Catholics who were tried at Omagh before Judge Keogh, and were found guilty of assembling to the extent of several thousands of persons, assembling with firearms, decked out with Orange ribbands, carrying flags, and playing party tunes, but recommended to mercy by the sympathetic jurors. The result was, that they got off with a sentence of one month's imprisonment without hard labour. No. 2 was a case which occurred at Lisburn. The charge was that of having "riotously assembled," and having "stabbed" certain persons at such assembly, and the defendants got off with a verdict of acquittal. No. 3 was also a case of riotous assembly at Loughbrickland on the 12th of July. In that instance a thousand persons assembled together, carrying arms, Orange flags, and firing shots; their band played "Protestant Boys" and the "Boyne Water," and the prisoners were found guilty, but unanimously recommended to mercy by the sympathising jurors. In consequence of that recommendation the Judge deferred passing sentence, and I do not know that any sentence has yet been passed, though the probability is that, according to a general custom, the parties will be discharged upon their own personal recognizances to appear when called on to receive judgment. In No. 4 case the prisoners had assembled in the town of Kilturby, they carried eight Orange flags, were decked out with Orange ribbands, and had with them fifes and drums, on which they played "Protestant Boys" and the "Boyne Water." These persons were all fully identified, and the Judge observing something in the jury box which indicated to him that there was a deep sympathy on the part of the jurors with the prisoners which it was his duty to guard against, addressed these words to the jurors—

> "If you can entertain a doubt, from what you have heard, that it was a procession calculated to excite feelings of animosity between Protestants and Roman Catholics, by all means give them the benefit of the doubt; but if you have no such doubt, do your duty as honest men, and convict the prisoners whether you think the Act of Parliament is a wise one or not."

Notwithstanding that solemn appeal from the Judge—consequent, probably, upon the indications shown of the sympathetic feelings of the jurors who were trying the case, there was a unanimous verdict of not guilty, though no rational defence was set up for the prisoners. [Mr. E. W. VERNER: Who was the Judge?] Baron Fitzgerald; and the case was tried the same day, I believe, in the adjoining county to that in which Mr. Justice Keogh delivered the judgment I have read to the House. I think, then, I have established a case for coming before the House and asking it to assist in taking care that hereafter throughout the Northern provinces of Ireland justice shall be administered to Catholic and Protestant with impartiality. Need I remind the House that it has before effectively interfered in reference to this Orange confederacy. It will be remembered by the House that in the year 1835 a Select Committee was appointed to inquire into the constitution, proceedings, and objects of the Orange societies; and before that Committee it appeared in evidence that Ireland was the very hot-bed of the confederation; that from thence it had spread to England; that in England at that moment there were 140,000 members of the confederacy, bound by a secret oath, and in Ireland not less than 220,000 members, all of whom were fully armed and likewise bound by a secret oath. It also came out before that Committee that every individual of these 360,000 armed Orangement had bound himself to rally round the "head centre" of his lodge; that outside that head centre there was a still larger circle with another head centre, the baronial circle; outside that was the county circle with another head centre; outside that came the provincial circle, with its head centre; outside these was the national circle, with its head centre; and outside the national circle came the imperial circle, with an imperial head centre, and the dictum of that imperial centre the entire organization of circles and centres was bound by oath blindly to obey. Really, one would almost think that I was describing the Fenian system in Ireland. Well, it is a sort of Fenian system in Ireland; but though a Fenian system, it is a Fenian system that is upheld by the exclusively Protestant party—by the party who profess to be the monopolists of all the loyal feeling of the country. Now, when this House investigated the question in 1835, and weighed the whole of the evidence placed before it, what was the opinion of the House with regard to this Orange confederacy? Permit me to read a sentence from the Report of the Committee on the subject. They say there existed—

> "An organized institution pervading Great Britain and her colonies to an extent never contemplated as possible, and which your Committee consider highly injurious to the discipline of His Majesty's army and dangerous to the peace of His Majesty's subjects;"

and they end by asking that steps should be immediately taken for the "suppression" of the society. The House will have observed that there is a reference in the extract I have read from the Committee's Report to "His Majesty's army," and the particular fact which came before the Committee to give rise to that was this:—At that time a certain Royal Duke, who was described in the Orange papers as the person "who stood nearest to the throne," gave his warrant to one Colonel Fairman to traverse the country as his deputy centre, to go from one part of the kingdom to the other, visiting the several military posts, and you who have read the accounts of the Fenian proceedings in Ireland during the last twelve months cannot fail to have remarked that, in like manner, the great head centre of Fenianism traversed England, Scotland, Ireland, and Wales, visiting the military depôts on a special mission, just as one of Her Majesty's colonels traversed the country with a special commission from the Imperial head centre of Orangeism, who was also a Royal Duke. The places most frequented by the Fenian Centre were the barracks in England, Scotland, Wales, and Ireland; and all the money he could spare was devoted to inducing the soldiers to join his confederation, just as the Orangemen admitted all soldiers without the usual fee. It came out in evidence before the Committee that Colonel Fairman, whose example General Stephens seems to have followed, went with the Royal ducal warrant in his pocket from barrack to barrack; and although the Commander-in-Chief issued a specific order that no member of the army should become a member of an Orange lodge, this Colonel Fairman, with the authority of the "person nearest to the throne," induced hundreds and thousands of His Majesty's soldiers to join the confederacy which this House considered as "dangerous." And it is this which gives a meaning to the passage I have read from the Committee's Report, that it is highly injurious to "the discipline of His Majesty's army." [Mr. Conolly: What is the date of that transaction?] The Committee sat in 1835. I may state, for the information of the hon. Member, the Report and evidence are in the Library of this House. Upon examining the last volume it will be found that there was not a single colony of Her Majesty into which this "dangerous" Orange system had not penetrated, corrupting the soldiers, causing them to recognise a head centre outside the Commander-in-Chief, and pledging them on oath implicitly to obey the dicta of that head centre, and within ten hours from the issue of a mandate from him, wherever they were, to assemble for the purpose of performing his behests, whatever they might be. [Mr. Conolly: That was thirty years ago.] Yes, thirty years ago, under the old rules; but the new rules are as exclusive, and require the same blind obedience to the head centre. At that period there was an eminent statesman who led the party opposite; and speaking of the recommendation of the Committee, of the action of this House, of the Address to his Majesty—the then King—praying Him to direct that such measures should be taken as would suppress this dangerous conspiracy; of the fact that the Royal Duke, the Imperial head centre, had given an undertaking, which he signed with his name "Ernest," authorizing a gentleman named Maxwell to come to this House with his letter, declaring that he would at once dissolve the associated confederates—the late Sir Robert Peel said on that occasion—"It matters little if you do dissolve it as regards its external form, unless you also dissolve it as regards its spirit," and I maintain that in spirit that society still lives.

Mr. E. W. VERNER: I rise to order, Mr. Speaker. I should like to know from you what all this has to do with the conduct of the magistrates to whom the hon. Gentleman refers?

Mr. SPEAKER: The hon. Member has given notice of a Motion; and at this moment it is difficult for me to tell how this will bear upon it, though it certainly seems to be travelling rather wide of the mark.

Sir JOHN GRAY: I readily bow to your decision, Sir. I fear that for a time I must appear to travel a little wide of the Question I have put on the paper; but I trust I shall be able to show that all the facts I adduce bear directly upon the administration of justice in Ireland, as affected by the exclusive organization alluded to in the judgment of Mr. Justice Keogh. I respectfully but confidently come to ask the House to express an opinion upon this case. It is an important case, because of the extent of the district to which the principle of that case applies. If I do not establish by the facts that the failure of justice in Ireland in this case is but an example of many similar cases, then I will admit that the hon. Gentleman is right in calling me to order. What I desire to show at this moment is, that a former Leader of that side of the House said in the year 1836 that unless the dangerous confederacy abandoned its spirit as well as its form no good whatever would result; and that afterwards, instead of dissolving in fact, they only changed their rules, the new rules having been prepared by a right hon. Gentleman who has since occupied the position of Lord Chancellor of Ireland. Upon the organization being altered it was re-established in Ireland, and before I sit down I think I shall be able to satisfy the House that that organization attempts to interfere even with this House, and certainly does interfere largely with the electoral system which is under the special protection of this House. I will give the House an illustration, which has just occurred to my mind, of the manner in which this organized system acts. After this House had adopted the Resolution I have referred to, after His Majesty had declared his Royal opinion that this organization was dangerous to the public peace and ought to be suppressed, the Orange system was rehabilitated in Ireland, and at this moment there is said to be upwards of 120,000 men in the organization in Ireland, all bound to obey their head centre. The ostentatious displays made by these confederates is extraordinary. Some time ago I went to a Northern county as a candidate for the representation, and the Gentleman who opposed me was successful, and is therefore well known to this House. Some years previously that Gentleman, who was then Grand Master of the Orangemen either of the county or of the province, drove ostentatiously to the assizes with his orange scarf around him, and, so attired, walked into the court to assume the duties of foreman of the Grand Jury of the county. Now, that is a fact which came almost within my own personal cognizance. It is also known to some Gentlemen who are sitting not far from me, and I venture to ask was that consistent with the due administration of justice? [Major Knox: What date?] About 1850, and since its new organization. On that day there was a dinner of the Grand Jury of the county; an hon. Member of this House, who is now present, and saw the exhibition I refer to, was at that dinner, and I now appeal to him to vouch for the accuracy of the statement I made. That dinner was attended by the Grand Jury, whose duty it was to appear in the box as impartial administrators of justice, and if they had not the virtue of impartiality at least were bound to assume the semblance of it. Now, the Orangemen have as one of their rules that no man who was, or is a Catholic, shall be identified in any way with their organization. The hon. Member to whom I have referred is a Protestant, and not a Catholic. He was sitting at a window in the room when the Grand Master who had driven to the court house that morning with an Orange scarf upon his shoulder in the capacity of Grand Master, rose as foreman of the Grand Jury, and gave as a toast—

> "The glorious, pious and immortal memory of the great and good King William, who saved us from Popery, slavery, brass money and wooden shoes, and may he who refuses to drink the toast be——"

Lord CLAUD HAMILTON said, he must appeal to the Speaker. They had been travelling back some thirty years, and now the hon. Gentleman was about to favour them with some account of certain festivities. He appealed to the Speaker to say if the hon. Gentleman was in order.

Mr. SPEAKER: The hon. Member is travelling wide of his notice, as he himself admitted just now. It would be more in accordance with the rules of debate if he would confine himself to the matter referred to in the notice before the House.

Sir JOHN GRAY: I am bound to abide by the decision of the Chair; but according to my view of the question, the Motion has reference to the administration of justice in Ireland, and I wish to indicate the facts which have induced me to bring before the House this particular case, and which will show that a condition of things exists in Ireland which of necessity impairs the administration of justice, and acts in such a manner as at least to destroy all confidence in its impartial administration. What I was endeavouring to show the House was that this organization alluded to by Mr. Justice Keogh in the statement which I have read to the House, exists to a very large extent in Ireland, and that persons who are bound by their official position, and who declare upon their oath that they will administer justice impartially to all the Queen's subjects, occasionally enter the Courts of Justice with all their Orange sympathies fully influencing them, and that they enter those Courts of Justice decked out in Orange insignia. As an illustration of this, I may mention the fact that when the foreman of the Grand Jury of the Northern county went into court, as I described, he was met with a cheer from his sympathisers, though he went there so attired avowedly for the purpose of administering justice; and I contend that such a state of affairs is calculated to prevent the impartial administration of justice in Ireland, and leaves on the minds of suitors an impression similar to that which is left on the mind of Mr. Justice Keogh that such persons are utterly unfit for the performance of magisterial functions. If you decide that I am not to read the remnant of this precious toast I will leave it to hon. Gentlemen opposite to give us a description of what the toast is, as they, no doubt, are in the habit of drinking it. I will not pursue the subject further; but I now wish to call attention to another matter of some importance in reference to the very principle brought before a public court by Mr. Justice Keogh, which I ventured to bring under the notice of this higher court, which I contend is bound in honour to see that the laws which it enacts are impartially administered in all parts of Her Majesty's dominions. The ex-Lord Chancellor of Ireland (the right hon. Maziere Brady) having taken cognizance of the facts which hon. Gentlemen opposite say I am not in order in mentioning here—but which I take this opportunity of saying I will bring forward on a future occasion in a manner that cannot be deemed beyond my notice; for if ample justice be not done in this case I shall feel it to be my duty to place a notice on the paper for an Address to Her Majesty, praying Her to take the whole question of the Orange confederation into Her most gracious consideration, when I hope to have an opportunity of bringing out the whole of the facts—the ex-Lord Chancellor of Ireland (Mr. Brady), taking the facts, which I am not at liberty to state, into his consideration, came to the conclusion that, as the chief administrator of the law in Ireland, as the person who represented the Executive appointed by the votes of this House to carry out the law with impartial and even-handed justice in Ireland, no gentleman who was a member of that confederation was fit to hold Her Majesty's commission; and by a letter which he addressed to the Lord Lieutenant of the county of Down he declared that he would not in future give the commission of the peace to any person who was a member of the confederation. That letter was discussed a good deal in the public press, and was discussed also in both Houses of Parliament; and I hold in my hand a statement which was made in the year 1858, with reference to that letter, by the late Lord Carlisle—a nobleman who was familiar with the whole state of society in Ireland, and was for some time chief of the Executive Government there. Speaking of the town of Belfast, which had been notorious for being perpetually in a state of civil warfare on account of the disunion which was created by that Orange confederation, Lord Carlisle said—

> "The recurrence of these most unhappy and most disgraceful riots in Belfast only served to strengthen his conviction that the Irish Government last year acted in consonance both with their duty and with the strictest policy and prudence in taking the only step which it was in their power as a Government to take to show their disapproval of exclusive religious societies and organizations, by refusing any fresh appointment of members of the Orange society to the office of magistrate."—[3 *Hansard*, cl. 1594.]

I wish now to call attention to the happy results that followed a more recent and more stringent proceeding in the town of Belfast. Immediately after the publication of the Lord Chancellor's letter a Royal Commission was issued to inquire into the condition of Belfast, and how it occurred that that city was always in a state of chronic civil war. The Commissioners went to Belfast, where they found that most of the magistrates were sympathisers with one side, and that the entire police force, with the exception of six or seven individuals, were members of one religious persuasion. It was reported by the Commissioners, one of whom is at present Judge of the Landed Estates Court in Ireland, that out of a police force consisting of 160 men but about half-a-dozen were Roman Catholics, while the whole of the rest were Protestants. They also reported that some of the police appointed by the local magistrates—gentlemen who were themselves sympathisers with, if not members of, Orange societies—appeared in Orange processions, with Orange ribbands bound round their staves, and recommended that there should be a change in a system which tolerated such occurrences. The Report was not, however, acted upon. The brethren of Belfast had friends in high quarters, and from the year 1858 up to 1864 Belfast continued to be in that condition which warranted Lord Derby in stating that it was a disgrace to a civilized country that the most opulent, and the most flourishing, and most commercial city in the kingdom should be in a perpetual state of civil war. Sir, in the year 1864 the town of Belfast was for five whole days in a state of actual siege. [Major KNOX: Belfast is not Tyrone.] I know Belfast is not Tyrone, and I mention the case of Belfast because the same system, if not of partial justice, at least of want of confidence in the magistracy, prevails all through the North of Ireland, and I desire to show that if the same remedy which was so effectively applied to Belfast within the past year were applied elsewhere, the stigma which has been removed from Belfast might also be removed from the other places where similar practices still prevail. During the party riots in Belfast in 1864, 311 persons were wounded. Of these, ninety-eight suffered from gunshot wounds, and eleven of them died. There is in this House an hon. and learned Gentleman who was deputed, in common with another learned Gentleman, to inquire into the proper means of supplying an impartial police and impartial magisterial authority to put down those Orange displays and party riots which gave such unenviable notoriety to Belfast. Those Gentlemen reported that the number of Catholics in the police force dwindled down to five; that the police were looked upon as a partizan force in that town; and that the control of the police and the appointment of them ought to be taken out of the hands of the local authorities altogether, and that two stipendiary magistrates, the one a Roman Catholic, and the other a Protestant, should be appointed in their stead. This recommendation was acted on, and the local magistrates, one of whom rode at the head of an Orange funeral procession during the riots, and was cheered by the brethren, ceased to have any control over the police force, and from that day to this there has not been a single party riot in Belfast. Now if this course were adopted throughout the North of Ireland there would be no more party contention, and no more party processions, for the persons otherwise disposed to take part in those exhibitions would know that prompt and effectual justice would be done upon all who violated the law. Sir, we were engaged last Session, and we have been occupied this Session, in endeavouring to produce a good electoral system throughout the country, by which every man entitled to a vote should receive the franchise. There is nothing which this House is more jealous of than external influence exercised over the enfranchised classes. Whether that influence be that of coercion or of bribery, or of secret intimidation emanating from some all-pervading power which issues mandates in secret from sources the existence of which are known only to the initiated, matters not. The House of Commons in all cases feels called upon to protect those whom it has deemed worthy of enfranchisement. But what, let me ask, is the practice of this Orange Association with respect to electors who join their confederacy. I hold in my hand a Report of the proceedings of the Grand Orange meeting, held in Dublin, at which Lord Dungannon and the hon. and gallant Baronet opposite (Sir William Verner) and other distinguished personages were present, and I find that among the business transacted was the consideration of a report upon the electoral condition of the county of Londonderry, and that forty-three members of Lodges in that county were expelled because they had voted contrary to the orders of the head centres.

MR. E. W. VERNER: I rise to order, Sir; we have not yet reached the Irish Reform Bill.

SIR JOHN GRAY: I am quite aware of that fact; but I merely refer to the influence which this association exerts to show the House the extent to which the classes whom it has enfranchised are interfered with.

MR. SPEAKER: The subject does not fall within the Motion of which the hon. Gentleman has given notice.

SIR JOHN GRAY: Sir, I shall cheerfully bow to your judgment, and pass to another branch of the subject. Since I gave notice of this Motion I have received several communications from the county of Tyrone, for the accuracy of which I cannot be expected to vouch, but I give them to the House as they reached me. Some of them state that there are only one or two Roman Catholic magistrates on the bench in that large county, although the great majority of cases to be decided by the magistrates arise out of party riots between Orangemen and Roman Catholics. I have also been credibly informed that the jury panel contains about 150 names, and that although the Roman Catholic population of Tyrone is, in round numbers, 134,000 against 103,000 Protestants of all denominations. Now with these notorious facts, and regard being had to the additional circumstance that so many of the magistrates are either themselves members of the Orange confederacy, or warm sympathizers, we cannot feel surprised that a strong feeling of distrust in the administration of justice should pervade the public mind. And, Sir, I respectfully submit that, when an occurrence of so remarkable a character as that denounced by Mr. Justice Keogh is brought under its notice, it is the duty of the Government and of the House of Commons to give expression to their opinions, and to indicate a determination that vigorous action will be taken to secure that justice shall be as impartially administered to Roman Catholics in the North of Ireland, as to any other class of Her Majesty's subjects in any other portion of her dominions. But we may be told that the judgment delivered by Mr. Justice Keogh was exaggerated, and not itself impartial. In order to meet any such assertion, should it be made, I may cite as an illustration of the perfect impartiality of that distinguished Judge, that on the very same day on which he passed a sentence of one month's imprisonment, with hard labour, on six Roman Catholic prisoners, and sentenced one Protestant to six months' imprisonment with hard labour, he also, in another case of riotous assembling which came before him; sentenced six Roman Catholics to six months' imprisonment with the addition of hard labour. This was in the Pomeroy case, and in that case I should state that the steward of one of the magistrates before whom the accused persons had to appear at petty sessions was the person who carried the Orange drum to excite animosity between Roman Catholics and Orangemen. That magistrate may be very just, and no doubt is; but will the public accept him as impartial in such a case? I am aware, Sir, that it was said by the learned Judge that the bell of the Roman Catholic Church was rung at Donoughmore, but what, let me ask, is the practice in the county of Tyrone, which led to the necessity of that measure. Shortly before the riot took place at Donoughmore, the Roman Catholic clergymen of Pomeroy, an adjacent district, received an anonymous letter, informing him that his parishioners would soon have a visit from the "True Blues." Now, it is but right the House should know what a visit from the "True Blues" to a Catholic district really means. The town of Dungannon, which is represented by the hon. and gallant Gentleman opposite (Colonel Knox), received a visit from the "True Blues" about a year previous to the "invasion" of Donoughmore. He will, doubtless, recollect the riot of 1865, and that the town was wrecked—that is, the Catholic houses and the chief hotel in the town were reduced to a ruin. Dungannon was wrecked in 1865, under the new rules, just as Maghery was wrecked some thirty years before under the old rules. The rules were altered, but the practice was the same. The case of Maghery is reported by the Committee I adverted to, and in that Report it is stated that the "True Blues" paid a visit to that village, which was inhabited by Catholics. The place was the property of Lord Charlemont, and on that occasion the "Killyman" Blues wrecked it, by smashing the doors and windows, breaking the furniture, and everything movable within the house, and turning out the inhabitants to find shelter in the ditches. On that occasion property of Lord Charlemont to the value of £600 was destroyed by the invading Blues, and I feel it right to the venerable Baronet opposite to state to his credit that he accompanied the wreckers during the whole of that day, endeavouring to stay their hands, but in vain. He was not at that time authorized by the chief centre to command, and they wrecked the houses before his face, against all his entreaties and remonstrances. In this case there were no imprisonments, for it appeared that the plea that there were no identifications was to the full availed of by the Killyman wreckers. This was what was meant by a visit from the "True Blues" in 1830. This was what was meant by the visit to Dungannon in 1865. When, therefore, the people of Donoughmore heard that the "True Blues" were coming among them in force, and at night, what could they do but sound the alarm, assemble together, and protect themselves against the invaders? In these wreckings of villages the Orangemen spared neither sex nor age, and the hon. and gallant Member for Dungannon knows well that such are their practices. The hon. and gallant Gentleman is himself a member of the Orange confederation. The town he represents was wrecked in 1865 as he admits. He knows that on such occasions Orangemen, always of course excepting the head centres, respect neither house of God nor the house of man, and that every body who does not bow down to the Moloch of Orangeism is regarded as an enemy. I have now only to ask the Chief Secretary for Ireland if he had read or had had his attention called to the observations reported to have been made by Mr. Justice Keogh at the assize court of the county of Tyrone on Friday last, with reference to the conduct of certain justices of the peace for that county, and the alleged consequent failure of justice; and whether any and what steps had been taken by the Irish Executive to institute a full inquiry into the facts of the case, and the conduct of the magistrates referred to; and if no steps had been taken, was it the intention of the Government to take any and what steps in relation thereto? I also beg to move for the papers in connection with the subject.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, Copies of any Correspondence that has taken place with reference to cases referred to in Mr. Justice Keogh's statement at the Assize Court of the county of Tyrone, and of the Letter of Lord Chancellor Brady to the Lord Lieutenant of the county of Down, on the impropriety of conferring the commission of the peace on Members of the Orange Association; and, of any Correspondence that arose thereupon,"—(*Sir John Gray,*)

—instead thereof.

Colonel STUART KNOX said, that as one of the bench of magistrates attacked by the hon. Member, he had to thank him for bringing the question before the House, although, in doing so, the hon. Member had travelled into matters not at all connected with the subject. The hon. Member had abused the Orange lodges; but he did not seem to know that not one of the magistrates sitting on the bench on the day referred to was an Orangeman. He (Colonel Knox) was not ashamed to acknowledge that he was an Orangeman, and so long as he obeyed the laws of his country he believed he had a right to continue to be one. The hon. Member had alluded to confederations; but had the hon. Member never belonged to one. Had he forgotten 1848? The hon. Member had spoken of illegal processions. Had he forgotten the procession in which he himself had taken part in 1865? [Sir John Gray: Where?]

In Dublin. At that procession, conducted under the auspices of the late Government, and at which the hon. Member was prominent, there were bands, and banners, and party emblems, which brought it clearly within the Act against illegal processions. He hoped Mr. Justice Keogh had empowered the Chief Secretary for Ireland to explain the hasty and ill-judged words which he had used, and to which the hon. Member had now called attention. He would tell the House what really happened. It was the habit of the Protestants in the North of Ireland to go about in the evening and amuse themselves by the music of drums and fifes. If party tunes were played they put themselves within the reach of the law. For himself, he did not approve of such a practice. He wished it could be got rid of; but the hon. Member would find that the habit was too inveterate to be easily put down so long as the persons acted according to law. On the occasion in question a small party of Protestants went to Donoughmore to meet another party whose drums they had borrowed. On their way they met the police, whose conduct on this, as on all other occasions, redounded highly to their credit. The police desired the party to leave off their drumming, and they did so instantly. After this an attack was made upon them by a party of Roman Catholics from Donoughmore. He would read the evidence which was taken before the magistrates, and which would show how far Mr. Justice Keogh was justified in the observations he made from the bench. Constable O'Neill stated that the Protestants ceased to beat the drums when they were told, and that after this the Roman Catholics came and made an attack on them, shouting out, "We will kill every man of them," and striking right and left. The constable added that the chapel bell was rung, and that he went to stop it—

"The drumming party were conducting themselves quietly when going through the town. Heard no party tunes played. Saw no firearms with them, or weapons of any kind. When the drumming party were returning from Mr. Lyle's gate the town (Roman Catholic) party went to meet them. The drumming party were attacked before they got into the town. They afterwards went on towards the Cross, and were again attacked at it. Up to the time they were attacked I did not see a weapon in the hands of the drumming party, nor observe them doing anything improper. They committed no breach of the peace until they were first attacked on the road, at which time they were not beating the drums. They did not then retaliate, as we managed to keep them asunder.

[MR. SULLIVAN: Where are you taking the evidence from?] He was reading from the *Belfast News Letter*, and he had good authority for stating that it was a correct report. Did the hon. Member wish the magistrates to commit men for trial when even a Roman Catholic policeman declared that they committed no breach of the peace when attacked, and did not retaliate? The effect of the Judge's language would be to rouse ill-blood between the Orangemen and Roman Catholics of Tyrone and the North of Ireland, and to bring the bench into contempt. The magistrates to whom this stigma was affixed did not deserve it. They were highminded men, who had acted disinterestedly, without partiality or favour. If the hon. Member opposite chose to move for a Committee on the subject, the magistrates were ready to meet him, and it would be shown that they were men who were perfectly fitted to hold the commission of the peace. The hon. Member had made much of the accusation brought by Mr. Justice Keogh against Mr. Lyle, who had been a magistrate in the district for many years, who was no Orangeman, and who had always done his duty fairly and honestly. What Mr. Lyle wished to say, when he attempted to interrupt the Judge, was, that none of the Protestants were identified as doing anything contrary to law. If he had been allowed to finish his sentence to that effect it might have made a different impression on the mind of the learned Judge. That learned functionary had himself used language which was hardly justifiable. He advised the Roman Catholics to keep within their houses, but to watch the movements of the Protestants doggedly, intently, determinedly. He would ask the House whether that was language proper to be used from the bench, or whether it was not calculated to stir up ill-blood in the country? With regard to the single Protestant who was tried by Mr. Justice Keogh, and who was told by the Judge that he ought to have been indicted, not for an assault, but for a riot, the information which he (Colonel Knox) got was to this effect—that this man pushed the constable before the Roman Catholic party came up, and when, therefore, no rioting had taken place. If he had been indicted for a riot the bill would have been thrown out by the Grand Jury. After this statement which he had made, and which he believed to contain a plain narrative of the facts, he thought he had a right to ask the noble Lord whether he would not call upon Mr. Justice Keogh to remove the stigma which he had cast, not upon the justices of that bench alone, but upon those of the whole of the North of Ireland, thus bringing the whole administration of justice into contempt. As to there being no Roman Catholic magistrates in Tyrone, he admitted this might possibly be the case; but that was because there were not resident gentlemen of that persuasion in a station of life that would qualify them for the bench. He was sure no one who knew the present Lord Lieutenant of Tyrone would doubt his willingness to act with perfect impartiality in the matter.

LORD CLAUD HAMILTON said, he felt a painful duty had been cast upon him. He would state the facts of the case as they occurred, and he would ask the hon. Member (Sir John Gray) how he could justify himself to the House for having ignored the evidence in the case, and tried to hide from the House the real facts, while he went on for more than an hour endeavouring to poison the public mind with respect to the administration of justice in the North of Ireland. This might be strong language; but he was forced to say that it had never been his painful duty to hear so extraordinary an attempt as this was to malign and misrepresent the conduct of worthy men. He could understand the object of the hon. Gentleman in going back to the events of 1835, in order to produce an impression upon the public mind which the facts of the present case, taken by themselves, would not justify. He would give the House a plain and simple statement of the facts. He would begin by referring to the charge of Mr. Justice Keogh, which was quoted by the hon. Member opposite. How far that learned and excellent Judge had been correctly reported he was not able to say; but if the report as quoted was correct, then the learned Judge must have received some secret evidence, which certainly was not brought before the public. He would tell the House what really did happen. Before doing so, he must state that just before the assizes an anonymous letter appeared in the county paper, the production of a violent partizan—a most improper letter, for the writer had the insolence to pretend to teach the jury their duty, and told them that all the Roman Catholics ought to be punished at once. The counsel for the prisoners, knowing that he had not a leg to stand upon, appealed to Mr. Justice Keogh to say whether that letter was not fitted to poison the public mind, and asked him to postpone the case, as it was impossible that the prisoners could, under the circumstances, have a fair trial. Mr. Justice Keogh read the letter, and, though he could not consent to postpone the trial, his indignation was strongly roused by the letter, and he said he wished he had the writer in court, and that he could punish him. He (Lord Claud Hamilton) heartily wished so too. The men pleaded guilty at once, and the Judge was called upon to pass sentence while the feeling of indignation was still strong upon him. It was under the influence of these feelings that he made—if correctly reported—the statements which had been read to the House. Then, with regard to Mr. Lyle, who attempted to interrupt the Judge, and who said that the Protestants could not be identified—what Mr. Lyle meant to say was, not that they were not identified personally, for they were well known, but that they were not identified as having taken part in anything illegal. But he was rather nervous, and he interrupted the court, which he had no business to do; and when he endeavoured to explain, he was put down by Mr. Justice Keogh. The hon. Gentleman opposite talked of his love of justice. God preserve Ireland! A more unworthy attempt to speak in the name of justice had never come under his notice. A certain number of Protestants and Roman Catholics were indicted for rioting and assembling illegally, and the hon. Gentleman, having read the evidence, said that the magistrates dismissed the charges against the Protestants, and sent the Roman Catholics for trial. He charged the hon. Gentleman with having made that statement, or, at least, having conveyed that impression.

SIR JOHN GRAY: I did not make that statement. I stated that one was sent for trial, and the others were not committed.

LORD CLAUD HAMILTON: It was pretty much the same. Was it a magistrate's duty to commit two Protestants because he had committed two Roman Catholics, or *vice versâ?* Or was it his duty to listen to the evidence, and see how it applied to each person? Why did not the hon. Gentleman read to the House certain portions of the evidence which he had altogether omitted to refer to. The evidence of one of the Roman Catholic witnesses—a Roman Catholic sergeant—distinctly stated that the Protestants were not guilty of anything illegal. But it would not have suited the hon. Gentleman's ideas of impartial justice to have read that. The hon. Gentleman's speech was to vilify the magistrates, and to convey to the House one of the most one-sided and unfair representations he had ever heard. A sub-constable—a Roman Catholic—stated in his evidence that the Protestants were not armed; that they played no party tunes; that they had no colours; and that they committed no illegal acts; and that the Roman Catholics attacked them with stones and other weapons, their leaders saying that they would kill every one of them. Against the six Roman Catholics who were indicted there was the most distinct evidence of their having committed a breach of the law; but every Protestant who was charged, with the exception of the one who was proved to have committed an assault, and who was now undergoing imprisonment, it was shown had done nothing. The hon. Gentleman had spoken for an hour and a half to endeavour to show that they were all equally guilty, but that the Roman Catholics were all sent for trial, while the Protestants were all discharged. That was the charge made by the representative of impartial justice, and lover of truth! The hon. Member also talked of "armed Orangemen." Throughout the whole investigation it was stated that they had no arms, and it was distinctly stated that when attacked they did not retaliate. The Protestant party came with drums along the high road. There was nothing illegal in that. There were no colours and no arms; and yet the hon. Gentleman talked of armed Orangemen. Both witnesses—the Roman Catholic serjeant and the Roman Catholic sub-constable—said they saw no arms. The party came up playing music, but not party tunes; they had no emblems, there was not a single element of illegality. At a certain place the officers met the party and said, "Pray don't go on with that drumming, it may create a disturbance." The party complied and stopped playing immediately. Other persons who were also indicted attacked the party with stones and other missiles. The sub-constable, according to the Report, said—

"The first person I recognised coming forward to attack the drumming party was Patrick M'Cluskey. [The witness here identified all the Roman Catholic prisoners.] M'Closkey and O'Connor were the first to strike the drumming party. Those two men came forward shouting 'Kill them; we will kill them every one.' They struck all round them—every one that they could get a blow at belonging to the drumming party."

The witness proceeded to say that he and another constable attempted to interfere. He then named other two principals, Loughlin and M'Girr, and then a third, Nogher, and gave distinct evidence of violence on the part of each. Nogher was—

> "Shouting that Lyle (a magistrate) was away from home, and that they had the town to themselves. The other defendants of the same party were all striking at each other, or throwing stones."

The witness then came to the names of the opposite party. He said—

> "I did not see Thornberry strike any one—on the contrary, he did all that he could to quell the disturbance. Kenny only caught me. Dilworth did nothing. M'Ateer did nothing but beat a drum. Stewart did nothing whatever."

Thus this party committed no illegal act, but did what they could to check others, except one, who committed an assault, and was punished for it. Thus, man by man, the evidence proved the one party to be guilty, and on the other hand, man by man, the police constables testified that the other party had committed no illegal act. Yet the hon. Member spoke for an hour-and-a-half to induce the House to believe that the magistrates had evidence before them showing that all these men were equally guilty. In cross-examination, sub-constable O'Neill said—

> "The drumming party were conducting themselves quietly when going through the town. Heard no party tunes played. Saw no firearms with them, nor weapons of any kind."

The hon. Gentleman (Sir John Gray) talked of "armed Orangemen." Throughout the whole of this investigation the term "armed Orangemen" was never introduced. The witnesses always spoke of Protestants. That statement was completely confirmed by the evidence given by sub-constable Thackaber, who saw all the men who were convicted assaulting the drumming party. It appeared that Mr. Justice Keogh had made representations to the authorities, and, for his part, he would invite the fullest inquiry into the circumstances. But he could not help again asking honourable Englishmen and honourable Irishmen what was the reason for poisoning the minds of those who were to hear the evidence by a statement such as had been made to the House that evening. Was it right to endeavour to induce the House to suppose, in opposition to the facts, that the magistrates, in dealing with men who were equally guilty, had committed all the Roman Catholics and had discharged all the Protestants. Was it by such statements as these that Ireland was to be regenerated? Was that impartial justice? Why should magistrates, when they made a distinction between the innocent and the guilty, be charged with having come to their decision in consequence of political or religious bias? He pitied the man who was capable of making such a use of his position as a Member of the House of Commons, and he trusted the hon. Gentleman's speech would have a very different effect from that intended. Some remarks had been made respecting the absurdity of people going about with bands of music, and he certainly did not think it a very wise thing to do; but a distinction must be drawn between what was sensible and what was legal. Unfortunately, there was not in Ireland so much social amusement as was desirable; and, consequently, the people were led into the habit of playing music in a manner which sometimes unfortunately resulted in a disturbance. Drumming on the high road was certainly legal, though he did not at all approve the practice, as it had a tendency to arouse bygone animosities. The House had been told that the Protestant party had been solely to blame; but no mention had been made of the most gross outrage of all, the breaking into the belfry at night by two Roman Catholics tolling the bells and rousing the whole country. The exponent of impartial justice, however, had not thought proper to allude to that circumstance, although having read the evidence, the hon. Member could not have been ignorant of it. He trusted he had made it plain to the House that the magistrates had acted in accordance with the sworn testimony given before them, without being influenced in any way by the fact of the accused being Protestant or Roman Catholic.

MR. SULLIVAN said, he would not have interfered were it not for the observations made by the hon. Member for Dungannon respecting Mr. Justice Keogh, which he would not allow to pass unchallenged. The hon. and gallant Member for Dungannon (Colonel Knox) said he was an Orangeman; but even that did not justify him in saying that the O'Connell procession in Dublin was illegal. He (Mr.

Sullivan) would rather hear the opinion of a lawyer on that point. He would answer for Judge Keogh that he had not given instructions for his defence to the Chief Secretary for Ireland. Judge Keogh was not the man to intrust his defence to any other person and rested his defence on the due discharge of his public duties. He (Mr. Sullivan) defied hon. Members to point to any act of the learned Judge's judicial life that was not deserving of approval. The hon. and gallant Member for Dungannon should have quoted correctly the observations of the learned Judge. After the passage "keep within your homes, watch their movements doggedly, silently, determinedly," he should have added the words that followed—"and when they break the laws appeal to the laws of your country: they are able to protect you." Why did the hon. and gallant Member for Dungannon suppress that part of the Judge's observations? Was that the practice of the Dungannon Orangemen? Judge Keogh never advised that revenge should be taken by the Roman Catholics. [Colonel Knox: The passage was read before by the hon. Member for Kilkenny (Sir John Gray)] That was not a fair way for the hon. and gallant Member to treat the House when the character of a distinguished Judge was assailed. By omitting the material and important part of the observations the hon. and gallant Member had misrepresented the learned Judge. Again, he (Mr. Sullivan) would repeat the words that were omitted—"when they break the laws appeal to the laws of your country, and they are able to protect you;" and he (Mr. Sullivan) hoped that these words of wisdom would reach the ears of the Dungannon Orangemen. The Orangemen of Ireland assumed to themselves a monopoly of loyalty while they did enormous injury to the country. They had no right to make such an assumption; there were as loyal men Roman Catholics in Ireland as any Orangemen. It was upon sworn informations returned by the magistrates from petty sessions that Judge Keogh made his observations. It appeared that 120 Protestants, with drums and fifes, with two horsemen in front, marched into Donoughmore, and an affray took place. It was said the constable could not identify them because they were strangers and came from another part of the country; but that was a miserable and unworthy quibble; and this patent fact stood out—every Roman Catholic was returned for trial, and every Protestant was let off except the one man who struck the constable in the face. But no great credit could be given to the Tyrone magistrates for sending the Protestant to trial who struck the constable in the face. He thought this was a serious case, and so far from the Chief Secretary having instructions from the learned Judge, the matter would be investigated. But he (Mr. Sullivan) was not going to pronounce an opinion on the conduct of the Tyrone magistrates. That would become a subject of investigation by the Lord Chancellor of Ireland, who would no doubt deal with it fairly and impartially. But whatever might be the result of that investigation, he was convinced it would be found that the assault made upon that distinguished Judge, Mr. Justice Keogh, was wholly unjustifiable.

Lord NAAS: Four hours of the time of the House were never, to my knowledge, worse employed than they have been this evening. The Notice given by the hon. Member for Kilkenny (Sir John Gray) was perfectly justifiable, considering the remarks that have been made on the conduct of the magistrates from the bench. The hon. Gentleman having given notice of a question—which I was ready to answer at once—took the opportunity of delivering a speech to which I will not allude at length. The hon. Member delivered a speech characterized by the worst qualities that distinguished our debates in the worst period of our history. The only consequence it can produce is unmixed and unmitigated mischief. I am sure that the English Members who agree with the hon. Member for Kilkenny in political opinions will regret that he should have thought fit to go back forty years and rake up stories and public events which every true lover of his country must desire had never happened. The learned Judge who made the remarks to which the attention of the House has been directed stated that he intended to draw the attention of the Lord Chancellor to the conduct of the particular magistrate and of some other magistrates. I can only say, on the part of the Government, that up to this moment no such communication has been made. When such communication is made—as I have no doubt it will be made after the words that fell from the learned Judge—I can answer for myself and for the Lord Chancellor that a fair opportunity will be given for a full and impartial inquiry near the place where those occurrences are said to have taken place. Every one who comes forward to take part in the inquiry and to offer the evidence they think they ought to offer will be heard, and then it will be for the Lord Chancellor and the Members of the Executive Government to decide upon the result of the inquiry. It would have been more generous and proper, and more suited to his position as an impartial Member of the House, if the hon. Member had waited until the inquiry was concluded before making the remarks he did. It would be unbecoming in me to offer a word on the facts. I know nothing of them beyond what I read in the newspapers; but I should be sorry on a newspaper report to make an attack upon persons holding the commission of the peace when their conduct is about to be submitted to an impartial and rigid inquiry.

Mr. VANCE: I have not risen to impugn the conduct of Judge Keogh, which I am sure was committed by him under an honest but mistaken impulse, but to defend one of the magistrates whom I know — Mr. Lyle — and he is as incapable of committing an act of injustice as any human being. The way in which the hon. Member for Kilkenny brought forward this question reminds me of the observation of Madame Roland—"Oh! justice, what crimes are committed in thy name!" The hon. Member did everything to enkindle animosities and inflame the passions of the people of Ireland. A few Protestants assembled together and chanced to be playing drums and fifes—without any insignia forbidden by law. They were unarmed, and were met by Roman Catholics. A riot ensued, and the rioters were not the Protestants. One of those Protestants committed an assault for which he was most severely punished by six months' imprisonment. The Roman Catholics who committed a riot were punished with one month's imprisonment. The result of the investigation will be, that the Lord Chancellor will be obliged to confess that no illegal act has been committed by the magistrates. He will, probably, add that the magistrate who had addressed him was not allowed by Mr. Justice Keogh to state the entire of the facts of the case. The bringing of the circumstances before the House is calculated to prejudice the judgment the Lord Chancellor may pass upon them. I think the Motion for papers is uncalled for, and I hope it will be refused.

Mr. BAGWELL said, he thought it was the duty of the hon. Member for Kilkenny, or of some Gentleman on that or the other side of the House, to bring forward the question. He was not going to defend the conduct of Mr. Justice Keogh, who was as well able to defend himself as any man in the country; but on hearing such discussions in the House, he could not help thinking that it would have been a mercy if they had been born Turks. In the South of Ireland the Protestants and Roman Catholics were free to differ in religion; but these religious differences did not disturb the peace and harmony in which they lived. He regretted, as an Irishman, that these discussions should take place; and he believed that the parties on either side were equally wrong in forgetting, in their religious differences, that they were Irishmen, subjects of the same Queen, subject to the same laws, and living under the same Constitution. It was really distressing that such discussions as they had been listening to that evening should take place. Both sides of the House were equally guilty in stirring up such debates, and it was unfortunate that such should be the case. At the same time, he must confess that he thought his hon. Friend the Member for Kilkenny had done right in introducing the question which he had done that evening.

Mr. LANYON said, he regretted that the hon. Member for Kilkenny had brought that subject before the House, and had thought fit to indulge in the discursive observations he had made — particularly with reference to the riots in the town of Belfast. That hon. Member had made a most unjustifiable attack on the Orangemen of Belfast in saying that they had caused those riots. The Orangemen were not the aggressors, and he denied that the disturbances were due to them. The navvies and Ribandmen of the town began the greatest riot which ever took place in Belfast by attacking a Protestant school in Brown Street. He believed, however, that the partial administration of justice in Ireland sometimes created an irritation in the minds of the people. Illegal meetings had been held with bands and colours under the very nose of Government, and no notice was taken of them; while occasional petty processions of a few boys with banners had been punished with the utmost rigour of the law. The sooner the Irish

Members of that House forgot the violent party feelings displayed by the hon. Member for Kilkenny that evening, and united to promote the substantial welfare and prosperity of Ireland, the better it would be for their common country.

Mr. CHICHESTER FORTESCUE said, he was glad to hear from the noble Lord the Chief Secretary for Ireland (Lord Naas) an assurance that the circumstances which had been brought under the notice of the House would be fully and fairly investigated by the Lord Chancellor of Ireland. The case just brought before them was one which not only justified such an inquiry, but rendered it absolutely necessary. Notwithstanding all that had been said by hon. Members, he thought they were indebted to the hon. Member for Kilkenny for having brought the case forward. This was not a case of a class totally unknown to them. He feared that although such cases were not so rife as they were once in Ireland, they were still too familiar in that country. Knowing, as he did, the impartial character of the learned Judge whose observation had originated the discussion, he was certainly of opinion that it would have been impossible not to have brought the matter at an early period under the notice of Parliament. He would not now discuss the matter; but when the promised investigation took place, he trusted the House would take proper cognizance of the case.

Mr. CONOLLY said, it must be abundantly manifest to every one that the observations which had been made by the right hon. Gentleman who had just sat down must carry very different weight to those of an ordinary Member, when it was remembered that under the late Government he filled the high and responsible office of Chief Secretary for Ireland. Those observations were of the gravest character. The right hon. Gentleman had said that the case now brought under their consideration was only one of many with which they were familiar. Such a remark, coming from one of his high authority, was most improper. So far as he (Mr. Conolly) could recollect, no such imputation as the present had been made against the Irish bench of magistrates during the whole time the right hon. Gentleman was Chief Secretary. When the investigation took place, it would be found that the magistrates would be thoroughly exculpated.

Mr. CHICHESTER FORTESCUE: The hon. Gentleman opposite has been too hasty in imputing to me what he calls improper conduct. No doubt he is excited on this subject. [Mr. Conolly: Not at all.] At all events, I think he was not entitled to impute improper conduct to me. I wish, Sir, merely to say that the hon. Gentleman is entirely mistaken in thinking that I passed any judgment upon the conduct of the magistrates. I do not know who they are. I said I should reserve my judgment until after the investigation, when we should know the facts of the case. When I said that these events were too common in the North of Ireland, I meant party demonstrations of this kind.

Mr. Serjeant BARRY said, that the observations which had fallen from the hon. Member for Belfast (Mr. Lanyon) had taken him by surprise. The hon. Gentleman said that the Orangemen of Belfast had been unjustly charged with being the originators of the Belfast riots.

Mr. DENT: Sir, I rise to order. Have the Belfast riots anything to do with the question now before the House?

Mr. SPEAKER said, that the observations were not out of order.

Mr. Serjeant BARRY said, that the Belfast riots of 1864 had been made the subject of a Government inquiry, of which he was the senior Commissioner, and that that Commission had affirmed that the riots were caused by the wanton and unprovoked assault of the Orangemen upon their inoffensive Roman Catholic fellow-subjects. Since the subject of Orangeism had been introduced into the debate, he ventured to express a hope that before the present Session of Parliament closed the question of the future existence of that society would be brought specifically before the House. He believed it would be well if Her Majesty's Government would take the subject in hand, and would propose the abolition of that most mischievous society. He could assure them that although by so doing they might lose the support of some hon. Members, they would be compensated by the general support of the people of Ireland. Every Member of the House who knew the judicial character of Mr. Justice Keogh would admit that he was not more conspicuous for his ability than for his strict impartiality.

Sir WILLIAM VERNER said, he felt it to be his duty to stand up in defence of a body of men who had rendered the greatest possible service to their country. He was proud to say that he was a member of that body. And he could with confidence state, after an experience of nearly sixty years, that he knew of no act committed by the Orangemen of Ireland which he should be ashamed to acknowledge. Great fault had been found with them for the last few years for going in procession. Now he would state what he knew from his own actual knowledge on that subject. He acted on one occasion with General Lake, who led upwards of 30,000 men, with his (Sir William Verner's) father at their head, in the district with which he was connected, when all the loyal inhabitants, men, women, and children, turned out to meet them. He defied any person living to mention a single instance in which the Orangemen had ever attacked or insulted any man living. He would tell hon. Gentlemen opposite what was once said to him by Mr. Daniel O'Connell. He said—

> "I know your tenantry as well as you know them yourself; I have heard from your Roman Catholic tenants that you never make any distinction between Roman Catholics and Protestants; and although you and I differ as much as any two men in existence, if you were to change from what you are now I should never respect you again."

He could not refrain from again expressing the pride he felt in having been for fifty years a member of the Orange body.

MR. COGAN congratulated the hon. Baronet on the courage he had displayed in standing up and so boldly declaring his opinions. He thought it required no ordinary courage to do so. It was, however, astonishing, and he thought deeply to be deplored, that at this time of day two hon. Members should have stood up in that House and avowed themselves members of the Orange society—a society which was not only inimical to the prosperity and harmony and peace under which fellow-citizens should live, which so fatally kept alive and fanned the flame of those religious animosities which had led to so many fatal conflicts in the North of Ireland, and which it ought to be the aim of every lover of his country to mitigate and extinguish, which made so many in that part of Ireland live in a sort of latent civil war at all times, which broke out periodically in such excesses as they all deplored, and which had been so strongly and repeatedly condemned by every tribunal before which its proceedings had come—by Committees of that House—by Addresses to the Throne by both Houses of Parliament — and by public opinion out of that House on so many occasions—so far back as 1813 by Lord Castlereagh, subsequently by Mr. Canning, Sir Robert Peel, and Lord Derby himself. He had hoped that after all this no member of the Orange body in that House would be found avowing his connection with it, and that the good sense and better feelings of those who represented that part of Ireland would rather have lent the weight of their influence and authority in putting an end to that mischievous organization, which by dividing against each other fellow-citizens of the same country, so tended to hurt and weaken the power of the Empire at large. This course might render it necessary to take the sense of Parliament again on the question as to whether such a society ought to be allowed to exist, and whether it did not poison the administration of justice in the North of Ireland, and shake the confidence of the people in that which it was of such consequence they should have faith in, that any injustice being suffered from, could and would be remedied by an impartial administration of the law. In the year 1860 he (Mr. Cogan) had brought this subject before the House when he proposed the introduction of the "Party Emblems Act," which was taken up at his suggestion by the then Government, and became law, and he then stated it as his conviction that, although these sort of laws might act as palliatives, and might check these insulting displays which had so often led to loss of life; that we must go deeper if we wanted to go to the root of this evil; that he trusted the increasing enlightenment of the age and greater toleration of opinion which had sprung up might induce those who had weight with the Orangemen, those who, by their education and station, held positions of influence which entailed responsibility, to put an end to these irritating party displays, and dissolve this society; but that if this hope was disappointed, it was the duty of the Government, from which they should not shrink, to discountenance and discourage it—to allow no member of the Orange society to hold public offices of honour, such as lords-lieutenant and deputy lieutenants of counties, and especially not to allow them to hold official positions, such as sheriffs, sub-sheriffs, clerks of the peace, or crown prosecutors—and above all, that they should not be intrusted with judicial functions as magistrates, for although they might act with the strictest impartiality, yet it was necessary that the administration of justice should be above suspicion, and that confidence in its entire impartiality in these frequent cases of party processions and riots should exist among the people. The whole question of Ireland must soon be dealt with boldly, and he wished he could hope that the right hon. Gentleman the Chancellor of the Exchequer would not be afraid to deal with this, which was a most important part of the question. He might, by doing so, lose the support of some Members from the North of Ireland by taking that course ; but he would gain in public opinion, and other quarters, a strength that would more than counterbalance their loss. With regard to the particular case to which the attention of the House had been directed by the hon. Member for Kilkenny (Sir John Gray), and the conduct of the magistrates, he (Mr. Cogan) refrained from expressing any opinion whatever; the matter would be the subject of inquiry, and until that inquiry took place it would be clearly premature to come to any conclusion. His hon. Friend the Member for Donegal (Mr. Conolly) had put the conduct of the magistrates in a point of view quite in contradiction to that presented by the noble Lord the Member for Tyrone and the hon. and gallant Member for Dungannon, who seemed to have come there that night with regular briefs for the magistrates. The two defences—that by the hon. Members for Tyrone and Dungannon, and that by the hon. Member for Donegal —were evidently contradictory and at variance; they could not both be correct. If his hon. Friend the Member for Donegal was right, Mr. Lyle agreed with the Judge that informations ought to have been sent up against persons who were not sent for trial, and therefore that justice was not done. He expressed no opinion on the case as yet. Very properly, inquiry was promised, and he was confident that in the hands of the distinguished and eminent man who was now Lord Chancellor of Ireland a full and searching inquiry would take place into the conduct of the parties implicated in the matter which had been brought under the notice of the House; and that when that investigation was made, he would fearlessly deal with it so as to satisfy the people, in the words of the learned Judge, that "justice is not to be one-sided—one-handed."

Sir HENRY EDWARDS trusted it would not be considered irregular or presumptuous on his part to address the House on what might be considered an Irish debate; but, as a Yorkshire Orangeman of twenty years' standing, he was proud of an opportunity of standing up in defence of that loyal society. He had little expected to hear such abuse lavished upon them, for they were men who would defend the Crown and the institutions of the country against all aggression—men who had hitherto been trusted by the Crown, and would, he hoped, continue to be so as long as a Protestant sat upon the Throne. He should not have intruded himself upon the notice of the House had he not felt bound to defend his brethren—the Orangemen of England—from the abuse which had been poured upon them by hon. Gentlemen opposite, not only below, but above the gangway; and also to protest against the most unjustifiable and violent attack made upon his hon. and gallant Friend the Member for Dungannon by the originator of the Motion under discussion. He hoped there would be an end of such trash as the hon. Member has indulged in, for the Orangemen had as much right to have their opinions represented in that House as the Fenians had. ["Oh, oh!" "Hear, hear!" *and* "Order!"]

Mr. AYRTON rose to order.

Mr. ESMONDE moved that the hon. Baronet's words be taken down.

Mr. SPEAKER said, the hon. Member was out of order in applying such an expression to any Members of the House, after the terms in which the House had stigmatized Fenianism.

Sir HENRY EDWARDS hoped he had sufficiently the feeling of a gentleman to withdraw any expression which the Speaker, representing the House, might think he was bound to withdraw; but he thought the right hon. Gentleman had misunderstood the meaning of his words. He had simply meant the sympathizers with the Fenians. ["Hear, hear," *and* "Oh, oh!"] He simply meant the sympathizers with the Fenians and Ribbonmen in that House. ["Oh, oh!" *laughter, and cries of* "Order!"]

Mr. ESMONDE: I rise to order, Sir.

Sir HENRY EDWARDS: Sir, I will not, under the circumstances, attempt to prolong the debate.

Mr. ESMONDE: I beg to move that the hon. Baronet's words be taken down —"sympathizers with Fenians in this House."

Mr. REARDEN: I second the Motion.

MR. SPEAKER: I expressed an opinion very decidedly with regard to the word "Fenian," and I express an opinion as strong with regard to the expression "sympathizers with Fenians." In answer to the Speech from the Throne, this House made use of these terms, that, "Fenianism was a conspiracy, adverse alike to authority, property, and religion, and disapproved and condemned alike by all who are interested in their maintenance." Therefore it certainly is an improper expression to address to any Member of this House, after that declaration has been made by the House.

THE CHANCELLOR OF THE EXCHEQUER: I am sure my hon. and gallant Friend the Member for Beverley (Sir Henry Edwards) will, on reflection, feel that he has, in the heat of debate, used expressions which it is impossible to justify, and which he will deeply regret; because, to suppose for a moment that any Gentleman, on whichever side of the House he may sit, can possibly sympathize with opinions of a seditious and treasonable character, is a course which it is quite impossible to justify. But I very much regret altogether the general character of the debate which has taken place. I was not present during the whole of it; but when I came in, it recalled the days when I first entered the House of Commons. About five-and-twenty or thirty years ago I did hear discussions of this kind, and when I came in I felt something like Rip Van Winkle when he awoke after his long slumber. In those days we used to bandy these accusations between the two sides of the House, and Members used to dilate on the respective merits of Protestants and Roman Catholics. But I really thought all this was agreed to be passed. For many years past, I must say, although we have had moments of great political excitement, and strong and fierce political excitement, we have never stumbled back into those old ways of bad repute, and I very much regret that by any circumstance whatever, a discussion has originated to-night which when I entered the House appeared to me to lead us back to the days which I hoped had been entirely forgotten. I am afraid it was the original character of this discussion which has brought us to the climax at which we find ourselves. But I think it so important that we should not allow the unfortunate backslidings of this evening to bring us back to a repetition of the scenes or a revival of the sentiments of the past with respect to this subject, that I hope both sides of the House will not allow this irritation to continue, but will assist any Gentleman who has been led in the heat of debate to use expressions which he must regret, to withdraw those expressions. The form of having the words taken down is not really necessary after you, Mr. Speaker, have interfered with so much propriety and such appreciation of the position of affairs. I hope we need not have recourse to these strict and technical proceedings; but that with a better feeling on both sides of the House we may put an end to this scene, and recur to those generous feelings of reciprocal regard which have hitherto characterized our proceedings. So far as the original question is concerned, I do not think there was the slightest necessity for the somewhat acrimonious feeling which has been exhibited on both sides. No doubt the subject itself might fairly have been brought under the consideration of the House, though I think it was brought forward in a manner much too elaborate and much too historical. I think my noble Friend (Lord Naas) treated it in a proper manner. If the learned Judge who is concerned makes a representation to the Government the Government will give to it that attention which a representation from such a quarter deserves. I remember the learned Judge in this House, of which he was a very able Member. He has proved himself a most admirable Judge, and I will not shrink from saying that I am proud of his personal acquaintance. I am sure he has performed his duty so far, and will for the future, in a manner not only honourable to himself but advantageous to society. I hope, therefore, that we may put an end to this misunderstanding, and that my hon. and gallant Friend the Member for Beverley will feel upon reflection that it will be a pleasure to him as a gentleman—and I know him to be a thorough one—to express regret that in the heat of debate he has used expressions which were not warranted, and which, I am sure, knowing him to be a man of extreme candour and friendly feeling, no one will more frankly or cordially retract than the hon. and gallant Member.

SIR HENRY EDWARDS: I have not had the experience of this House, during the last twenty years, without being able to appreciate kindness on the part of a friend. I deeply regret it is not in my power to give expression to my feelings in the manner that my right hon. Friend the Chancellor of the Exchequer who has just sat down has done; but I should be the last man alive to say anything to lessen the dignity of this House; and I will cheerfully withdraw any un-Parliamentary expression used that may irritate the feelings of any Gentleman, or that may have the slightest tendency to inaugurate anything contrary to that which has always been the custom in the House of Commons.

Mr. ESMONDE said, he would withdraw his Motion.

Motion *withdrawn.*

Sir JOHN GRAY said, he wished to withdraw his Motion. ["No, no!"]

Mr. BRADY said, he thought it would be much better, after the creditable way in which the question had been met by the Government, that the Motion should be withdrawn than that it should be negatived.

Mr. SPEAKER: The rule of the House is that no Resolution can be withdrawn without the consent of the House; and as some hon. Gentlemen object to this Resolution being withdrawn, I must put it to the House.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

ECCLESIASTICAL ESTABLISHMENT IN THE WEST INDIES.

RESOLUTION.

Mr. REMINGTON MILLS said, he rose to call attention to the annual grant out of the Consolidated Fund of £20,300 towards the Ecclesiastical Establishment in the West Indies, and to move a Resolution on the subject—

Mr. SPEAKER: One Amendment to the Motion for going into Committee of Supply having been negatived, it is not competent for the hon. Member to move another Amendment.

IRELAND—THE CONSTABULARY.

QUESTION.

Colonel GREVILLE-NUGENT said, he rose to draw attention to the conditions of superannuation as affecting the men of the Irish constabulary. For some time past difficulty had been experienced in obtaining sufficient recruits for the force from time to time, and the difficulty at last became so serious that the Government found it necessary to issue a Commission, which sat in Dublin for a considerable time, examined witnesses and received memorials from magistrates as to the efficiency and good conduct of the force. The Commission reduced the complaints that were made to three—first, that the claims that were made to superannuation after long service was not enough taken into account; second, that while the men had no prospect of promotion, the period of service was indefinite; and lastly, that the pay was inadequate. The first and third of these complaints were fairly met by the Commissioners, who embodied certain recommendations respecting them in a Bill that was hastily passed through both Houses of Parliament; but it was to the second cause of complaint that he desired to draw the attention of the House. The Commissioners stated, in their Report, that—

> "The men feel that while the prospect of promotion is remote, the period of service is long and indefinite, and they would regard it as a great boon if they were allowed to enter for a fixed period of twenty or thirty years, and were after that time entitled to some pension."

The Commissioners consequently recommended an altered scale of superannuation. In several cases they reduced it; and, on the whole, he did not consider the alterations they made were open to complaint. But what he objected to was that in the 5th clause of the Bill embodying the recommendations of the Commissioners it was provided that no pension should be granted to the men in any case, except on the certificate of the surgeon of the force that the person claiming it was, from bodily or mental incapacity, unable to do duty any longer; and unless this certificate was granted, no member of the force was able to claim his superannuation except he had attained the age of sixty years or upwards. This rule might do very well for the higher ranks of the force; but he thought that, considering the arduous duties that the Irish constabulary had to perform—duties as much of a military as of a civil character—they ought to be entitled to their superannuation after twenty or thirty years' service. This would ensure a steady flow of promotion, retain many in the service who now left after ten years' service, and be an inducement to recruits to join. A man could obtain his pension after twenty-one years' service in the army, why not also in the Irish constabulary? They underwent as many hardships both by day and night and in all weather. Under the present system, if a man entered the force at twenty years of age, he must remain in it forty years before he could claim his superannuation. This was a great hardship, and must have the effect of keeping competent men out of the force, or of withdrawing them from it whenever they had an opportunity of exchanging the service for work that carried with it a better prospect of remuneration. The Commissioners had recommended this system, on the ground that they feared that the efficiency of the service would suffer if the superannuation were granted to the men at an earlier period, and that Parliament would refuse to santion the extra expense that would be occasioned if twenty or twenty-five years' service were to entitle the men to superannuation. They admitted that a more liberal system prevailed in the army, and that the duties of the Irish police were frequently of a military character; but still they recommended, though without any sufficient reason, the more stringent system of superannuation for the Irish constabulary. They urged, however, that the question of promotion was one of serious importance, and no one who knew anything of the subject could feel any doubt of it. The Commissioners reported that at present—

> "It requires a long period of service, verging possibly on twenty years, for a member of the force to attain the position of constable, and a further period of several years before he can become a first-class constable, where the promotion virtually stops, the advancement to the lower ranks of officers being very limited."

They recommended that instead of three out of seven inspectors the number should be three out of six; but they left the superannuation just as it was, and in fact had passed over the whole question of promotion without any suggestion for the effectual removal of the grievance. In regard to what the Commissioners had said respecting the extra expense that would be the consequence of a more liberal scale of superannuation, he desired to call attention on the other hand to the great saving that had been effected by the number of additional duties that had lately been imposed upon the Irish constabulary without any extra remuneration whatever. There were stated in the Report of the Inspector General for 1864. The constabulary force were employed in collecting agricultural statistics. Also in the taking of the census in Ireland, the expense of which was only £2,000, while the expense in England was £67,000, and in Scotland £18,000, showing an expense of each enumerator in Ireland of 10*s.* 11*d.* against £2 3*s.* 7*d.* in England, and £2 5*s.* 8*d.* in Scotland. They were also employed in serving the notices of the Poor Law guardians, and in acting as inspectors of weights and measures. They also acted as a revenue police, looking after distilleries and private stills, and in this one item they had been the means of effecting a saving of £50,000 a year. Besides these, there were other minor duties which they performed. But he did not wish the House to be guided alone by financial considerations. The country had lately witnessed the position of difficulty into which the Irish constabulary had been placed; but they had never wavered in their loyalty, but had shown themselves to be courageous and worthy men, and deserving of the consideration of the country. He never could doubt what the conduct of the constabulary, under any circumstances, would be. He had never seen one of the force drunk in his life. All the additional duties cast upon them had been discharged most efficiently. He hoped the House and the Government would not refuse to take the case into consideration.

LORD NAAS said, he quite admitted the numerous and important additional duties which had of late years been imposed on the Irish constabulary, and the efficient manner in which they had been performed. But the question of superannuation really resolved itself almost entirely into one of finance, and he thought the House, before pledging itself to the recommendation involved in his hon. and gallant Friend's proposal, would recollect what took place with reference to this force last year. A great scheme in relation to the pay of the constabulary had been under the consideration of the late Government, and this was submitted to the Commission of Inquiry which sat in Dublin, presided over by his hon. Friend the Member for Sandwich. The recommendations of that Commission were carried out by the Bill which he had the honour to introduce towards the close of last Session, and the effect of the scheme was to benefit very much the constabulary of Ireland as a body, as regarded their pay and allowances. The original Estimate for pay, allowances, and superannuation of the Irish constabulary was £736,000, and the supplemental charge was no less than £95,000, in order to carry out the recommendations of the Commission. The House would therefore see how very considerable was the boon which had been conferred on the force. A great increase of pay would take place in the lower grades of the force, for this simple reason—that the Commissioners had discovered that, though the higher branch of the force was very fairly paid, the lower grades were very much underpaid. An increase of pay had accordingly been made. The sub-constable of six years' service—representing the cream of the force—now received £38 8*s.* 4*d.*, whereas he formerly received only £27 2*s.*, and this increase in the pay of over 11,000 men amounted to a considerable sum. The sub-constable, moreover, of twelve years' service had had an increase of £11, and the sub-constable of twenty years' service one of £6 3*s.* per annum. In the higher branches the improvement was much smaller; but, on the whole, according to Colonel Villiers, the force had been placed in a much better position. The result had been that, whereas on the 1st of February, 1866, there were 1,864 vacancies, there were on the 15th of this month only 1,198. There were, too, 111 candidates for admission now on the books. Last year there was not one, and a superior class of men had been induced to join the force. The present charge for superannuation was very considerable, it being this year £93,127, on a pay of £849,000. The men had hitherto subscribed 2½ per cent of their pay to that fund; but in future they would subscribe 1½ per cent to the reward fund, so that their deduction would be 1 per cent less. No change was made by the Act of last Session in the amount of superannuation that was payable to the men at present in the force; but there would be a great change with regard to the superannuation of the men who would hereafter enter the force. The present superannuation was very liberal and very high compared with other services. A man who entered the force previously to 1847 was entitled to two-thirds of his salary after a service of fifteen years, and to the whole of his salary after a service of twenty years. Those who entered the force subsequently would be entitled to two-thirds of their salary after twenty years' service, and to the whole of their salary after thirty years service. If the proposal of his hon. and gallant Friend were carried out, men would generally leave the service at the age of forty or forty-five, because they entered it between the ages of eighteen and twenty-four. Therefore, they would leave the force at the very time when, as constables or head constables, their services would be most valuable. No doubt if a man remained in the force till he was sixty his services would not be very valuable; but it would be most imprudent to alter the important arrangement which was arrived at last year. That arrangement conferred lasting benefits on the force, and he believed it was perfectly satisfactory to the great majority of the force. It had not conferred much benefit on a few of the older members of the force, but they stood in a very fair position previously. It would be very unwise to make so great an alteration in it as had been suggested by the hon. and gallant Member, especially as the new superannuation scale would not come into operation for nearly fifteen years.

Mr. O'REILLY said, the object in view was not to increase, but simply to define, the number of years which a man should serve without being worn out, and so avoid his being compelled to hold on until he could obtain a certificate that he was unfit to serve any longer. The Army Commission found that the average soldier was not fit for service after above twenty years' service, and the same rule would, no doubt, apply equally to the constabulary, whose duties were of an arduous character. The present term of service was calculated to lead to "malingering" and discontent. The difference to the public in point of money on the fixing of the period suggested would be very little compared with the beneficial effect the change would have in the force. Had the hon. and gallant Gentleman made any calculation as to how many of the men had served for twenty-five years? At the present time the police force was employed hunting Fenians through the snow in the mountains, and could it be said that as a rule men would be fit to do such work after they had gone through twenty-five years' service? A considerable proportion of the men had already retired by the time they had reached the period of twenty-five years' service, and all that was suggested was that the whole of the men should have the option of retiring at that period of their career. He was convinced that it would give great satisfaction if the men knew that they would have the right to retire at a certain fixed time, instead of it being insisted that they should remain in the force so long as anything could be got out of them.

GENERAL DUNNE said, he could not agree with his noble Friend (Lord Naas) that the arrangements that had been lately made were regarded with satisfaction by the constabulary. Had it been easier to obtain recruits during the last six months than it was previously? His experience was that they complained that they were not allowed to leave the service until they were worn out. The truth was that the men got out of the service when they wished by procuring a medical certificate, even although they were at the time in such a state of health that they could, if they liked, continue in the service. He believed that a very great proportion of the men now left the service at an early period. Indeed, many of them entered it only to acquire money enough to take them to America. It would be much more desirable that they should have a retiring pension than an increase of pay. He believed that the organization of the police might be made infinitely more perfect and at a much less cost, than under the present system. He hoped he should see the day when they would have the police force in Ireland established on the same footing as that in England. The subject was a very important one, and he hoped the Irish Government would re-consider it. It was perfectly absurb and even mischievous to put forth, as was done in the Report of the Commission, that the constabulary should be paid out of the local funds when the greater part of their duty was Imperial.

MR. KNATCHBULL - HUGESSEN said, he regretted, as a Member of the Commission, that he had not had as a Colleague his hon. and gallant Friend (General Dunne), because he believed he was capable of affording a vast deal of valuable information on this subject. It was an unfortunate circumstance that when that Commission was appointed the Habeas Corpus Act was suspended in Ireland, and his hon. and gallant Friend suddenly left the country. He had a very strong opinion on the subject of promotion —that the more they encouraged the men by promotion the better it would be for the force generally. He could bear his testimony to the value of the Irish police for the maintenance of good order and British rule in Ireland; but he thought the expense should be partly borne by local taxation. He denied that the Commission over which he had the honour to preside had abolished the good service pay. They found, however, that they could not both increase the pay and fix the term of service at the same time. As for a man being in the decline of life at forty-five, he should very much regret to think so.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

£2,000, Special Rewards to certain members of the Irish Constabulary Force.

LORD NAAS said, that after the gratifying discussion that took place some short time since in that House, he should only be wasting time in entering fully into the Vote. He felt certain that the Committee would vote this small sum with the greatest satisfaction, in order to place at their disposal the means of rewarding those men who had done such great service. The rewards would be distributed as fairly and equitably as possible, according to the services rendered. The Government had also under their consideration the propriety of giving honorary rewards. Of course, it was a matter requiring great consideration; but he hoped to be able to bring the subject very shortly before the House. The country was under great obligation to the force, and especially to the gallant officer at its head, who had exhibited qualities, during the late difficulties, which enhanced the reputation he had previously acquired in the service of his country. He had great pleasure in moving the Vote.

MR. COGAN said, he wished to express his concurrence in the Vote. It was satisfactory to find that the police force had been able to put down this insurrection.

MR. CHICHESTER FORTESCUE said, he wished to express his satisfaction in the course proposed by the Government. Rewards to be effectual should be prompt. Had it not been for the recognition of the services of the force by the House on a former occasion, and also what had passed in the other House, he should have asked for the postponement of the Vote in order that it might be discussed in a fuller House; but, under the circumstances, he thought he need not do so. The manner in which the force had discharged is duty was deserving of the highest praise. He was glad that the Government had under its consideration also rewards of an honorary nature.

Mr. O'BEIRNE said, that as he had not the opportunity upon a recent occasion, when the conduct of the Irish constabulary formed the subject of so much just commendation in that House, to express his concurrence in the general and willing testimony which was borne to their devoted, and, he might add, chivalrous loyalty, he was anxious now to be permitted to do so; and as the representative of an Irish constituency also, to offer his acknowledgments to Her Majesty's Government for the well-considered and firm steps they adopted to protect the country from the serious danger which lately threatened it. He was happy to find that the noble Lord so promptly recognised the services of the constabulary, and that, as the organ of the Irish Government in that House, he had paid a just and generous tribute to a body of men who had for years entitled themselves to the confidence of the country, and who had upon a recent occasion so amply proved the high spirit by which they were influenced. But he entertained a feeling of regret with reference to the Vote now submitted. He could have wished that the Government had much enlarged the amount now proposed. He thought £2,000 was quite insufficient for the purpose intended; and he believed the country would readily offer a more substantial recognition of the services which that Vote was intended to reward. However, he was unwilling to interfere with the action of the Government, and his support should be very heartily given to the proposal now submitted by the noble Lord; although he could not help repeating his belief that it was by no means so substantial a return as the very remarkable and exceptional circumstances which had led to its being submitted to the Committee would have justified. The noble Lord had informed them that it was the intention of Her Majesty's Government to confer some honourable distinction upon the Members of the constabulary who had so eminently entitled themselves to the gratitude of the country; and he hoped in that recognition they would find a compensation for what he believed to be the insufficiency of the amount now asked for.

Lord CLAUD HAMILTON said, he could bear testimony to the excellent manner in which the Dublin metropolitan police had discharged their duty in Dublin in apprehending members of the Fenian conspiracy, much larger than the body of men who apprehended them.

Lord NAAS said, that the Dublin metropolitan police would be included in any honorary reward.

Vote *agreed to.*

House *resumed.*

Resolution to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

RAILWAY COMPANIES (WINDING-UP) (IRELAND) BILL.

On Motion of Mr. Lawson, Bill to provide for the Winding-up of Railway Companies in Ireland in certain cases, *ordered* to be brought in by Mr. Lawson, Sir Colman O'Loghlen, and Mr. Sullivan.

Bill *presented,* and read the first time. [Bill 101.]

House adjourned at half after
Twelve o'clock, till
Monday next.

HOUSE OF LORDS,

Monday, April 1, 1867.

MINUTES.]—Public Bill—*Committee*—Dublin University Professorships* (48).
Report—Dublin University Professorships* (48).

ARMY—INDUSTRIAL EMPLOYMENT OF SOLDIERS.

PETITION FROM COLCHESTER.

The Earl of HARDWICKE, in presenting a Petition praying for the Industrial Employment of Troops in their leisure hours, said, that it was a petition which had been agreed to at a large public meeting in Colchester, and had been forwarded to him by the Mayor of that town. The subject was one of considerable importance, and had already engaged the attention of Parliament. It appeared to the petitioners that the condition of the troops required some alteration in order to improve their sanitary condition and increase their usefulness, and they represented that if the soldiers were more regularly and more usefully employed it would tend not only to the improvement of their discipline but also to the improvement of their sanitary condition. At present the soldier had about eight hours out of every twenty-four, which he spent in idleness and dissipation, to the injury of his health. It was well known that on various occasions when our troops had been called into active service, and especially during the Crimean war, those of the troops who had previously been stationed in large towns found their constitutions so much damaged by the life they had led that they were unable to bear the ordinary hardships and privation of the campaign. The petitioners thought that at the various stations where Her Majesty's troops were permanently placed—as at Aldershot—it would be well, after the exercise of the day, to employ the men in some useful work which would tend to their instruction and the improvement of their general health, and which might also be remunerative to them, and the money they thus earned might be husbanded for them by the Government until the end of their term of service. They thought the troops might be taught the use of the spade, and gardens might be allotted to them, and they might also be taught to repair their own arms and construct their own barracks. Four hours a day out of the eight which were now given up to idleness might be thus employed, and if they were to receive 1½*d.* an hour for the time, they would have at the end of their twenty years' service a considerable sum to draw, which might be of very great advantage to them.

The Earl of LONGFORD said, that the subject was one which had attracted considerable interest and had been much considered of late years by the War Office and others concerned. The late Lord Herbert and Sir George Lewis took great interest in it, and invited Committees to report upon it. This interest had been fully maintained by their successors up to the present time; and Parliament itself had been well informed in the matter. He would mention a few of the papers laid before Parliament since 1862 which he now had before him. In the year 1862 a Report was presented on Soldiers' Recreation Rooms. The next was the Report of a Committee of 1863 on the Instruction and Employment of Soldiers in Trades. The Sessional Paper No. 181 of 1863 contained Correspondence as to the Employment of Soldiers in Trades. In 1864 there was a valuable Return respecting the Success of Soldiers' Workshops in India. In 1865 there was a Return of the soldiers instructed in trades, &c.; and in the same year there was a Report of garden grounds allotted to troops, and a Return of regulations of army libraries and recreation-rooms. These documents showed that Parliament had not been idle. The reason why greater progress had not been made was the expense; because if all the recommendations of these Committees had been carried out, a much greater expenditure would have been incurred than Parliament could reasonably be expected to sanction. There were, however, Votes in the Army Estimates of the present year of £1,000 for soldiers' workshops; £5,000 for schools; £8,000 for gymnasia and skittle-grounds; £5,000 for reading-rooms; and £4,500 for supply of books. The question of the employment of soldiers in trades was one of considerable complication. It was spoken of as a simple and easy project which was certain to be followed by satisfactory results; but satisfactory results did not always immediately follow these excellent proposals. It might be possible, as the noble Earl's (the Earl of Hardwicke) petition seemed to contemplate, to make on paper an accurate distribution of the soldier's time, allowing eight hours for sleep and recreation, eight hours for military duty, leaving a balance of eight hours for industrial employment; but in practice the calculation would fail. The only instance in which the experiment of employing soldiers in workshops had been fairly tried was in India. There the circumstances were peculiarly favourable, because there were there a large number of troops who had a great amount of leisure time and not much military duty to perform. Lord Strathnairn, whose energy in war had not failed him in peace, had personally visited every workshop at every station within his reach, and the result appeared in the Return moved for in April, 1864, by Sir Harry Verney — a very valuable paper, well worthy of their Lordships' attention. It was comparatively easy to withdraw a number of soldiers from their regimental duties for a time and employ them in military work. This was sometimes done in the case of the Engineers and other troops; but it was by no means so simple and easy to provide tools and workshops, without interrupting their military duties, for soldiers who might be disposed to work for two or three hours or at odd times in the intervals of their drill, &c. The question was put some years ago to several soldiers of the old school—among others, to Sir George Brown, who was second to no officer in the army in the interest which he took in the real welfare of the soldier; but who saw great doubts and difficulties in the way; and his opinions was shared by many other officers. At the present time, however, from the information he had received, he (the Earl of Longford) anticipated the most cordial assistance on the part of every officer whose co-operation in these schemes might be invited. There were two or three foreign stations—such as the Mauritius and Hong Kong—in which the system was now in operation, but from which no exact reports as to the results had been received. The circumstances of the army at home were known to their Lordships. The troops were kept in constant movement, and were consequently unable to commence any scheme which required a settled position and a greater command of leisure than the military authorities were enabled to place at their disposal. As to the proposal for allotting garden grounds to soldiers, it was obvious that the scheme could be carried out only at a few stations where the soldiers being fixed for a length of time would reap where they had sown. The soldiers themselves had exhibited a desire to undertake any useful work; the public seemed to approve the proposal; and, as both War Office and Horse Guards were entirely favourable to the project, he hoped progress would be made in the right direction, and that before long Returns would be presented to their Lordships showing results at home as distinctly favourable as those in places where experiment had firmly established the feasibility of the scheme.

THE DUKE OF CAMBRIDGE: No one is more anxious than the military authorities to adopt the proposal spoken of by the petitioners; but the difficulties in their way are obvious, and in some cases I am afraid they are almost insurmountable. The position of the troops in England is very different from that of the troops in France. In that country there are troops sufficient for every purpose; but in England the forces are kept down to the lowest point that the requirements of the service will allow. The requirements of the service at home are such that the troops are seldom more than two or three months together at one station; so that a regiment would think it inexpedient to incur the necessary expense for starting the soldiers in their work, either in the workshop or the garden. If the troops were fixed a long time at one station, there would be nothing to prevent us carrying out the admirable system suggested; but, as a matter of fact, we cannot insure their non-removal, and hence the difficulty. In India the case is different. There the troops remain for long periods in one quarter, and Lord Strathnairn was able to introduce the system of workshops with marked success. I believe the same was done in Bombay and Madras by Sir William Mansfield and Sir Hope Grant. In the Mauritius, too, the same facilities exist; at that station the troops remain for four or five years together, and have time for military duties and also for industrial employment. The opportunities offered by these conditions of military life are such as should not be lost sight of, and we take advantage of them; indeed, we are introducing the system in every part of the world to the fullest possible extent; but nowhere do we meet with such difficulties as we are likely to meet with at home. In some cases a regiment is not more than a few months on the same station, and when removed it may never probably return, and these removals would entail considerable loss and disappointment if the men had to leave their workshops and gardens. Indeed, the difficulties in the way of adopting this scheme are greater than the public, and perhaps your Lordships, are aware of. The military authorities, however, from myself down to the junior officers, all appreciate the advantage the army would derive from the adoption of the system, and they will, I am sure, all endeavour to further any arrangements which may be made to carry it out efficiently. The question of expense has been referred to; but in cases where absolute advantage will accrue from additional expenditure no objection to incurring it will, I am sure, be made on the part of the public. The question of troops repairing their own barracks has already been under discussion; that, I think, is employment which soldiers may very well be put to. The vexation caused by the item "barrack damages" cannot well be overestimated; the troops not only object to the charge itself, but think the proportion charged above what it should be. Very little skilled labour, too, is needed for repairing barracks beyond what troops can well perform; so that in this respect we may hope for satisfactory results. For my part, I hope the system will be largely introduced; and, if it should not be so, your Lordships may rely upon it that nothing prevents its general adoption but the difficulties incident to the nature of the service at home.

Earl GREY thought it must be gratifying to their Lordships to hear that the noble Earl the Under Secretary for War and the illustrious Duke who followed him were impressed with the importance of the subject, and were disposed to adopt the system which the petitioners advocated; of the difficulties alluded to he was quite aware, but he believed they would be overcome as soon as the subject received the attention it deserved. He had reminded their Lordships not long since of the great anomaly that when the great establishment at Aldershot was being formed all the draining and road-making —descriptions of work peculiarly adapted for the instruction of soldiers in the requirements of actual service—were executed not by the soldiers but by contract. He had not made that statement on official authority, but he had read it in the newspapers, and it had not been contradicted to his knowledge. That single fact called for improvement, and he hoped the disposition to favour a better system of things would prevent such an incident occurring again.

Earl DE GREY and RIPON said, he could not refrain from expressing his satisfaction at the tone of the discussion. He was glad to hear the noble Earl the Under Secretary for War and the illustrious Duke approve the adoption of the system proposed as far as possible. The difficulties were undoubtedly considerable; but he had been led to think them far from insurmountable, especially when considered in the light of the Report of a Committee appointed by the late Sir George Lewis in 1862. The Committee was composed of officers of distinction and experience; they put a series of questions upon this subject to all the General Officers commanding districts in Great Britain, Ireland, and the Channel Islands, and only one General Officer and one regimental Board reported unfavourably upon it. The General Officer was Sir George Brown, who was at that time Commander of the Forces in Ireland, and the regimental Board was one at Dublin, under the immediate influence of that officer. That gave him hope that the difficulties in the way of adopting the system might be overcome. He was quite sure that as soon as it became known that the War Office and Horse Guards desired the system to be fairly tried, commanding officers would be anxious to assist in doing so; and he would suggest that the orders regulating the experiments might not be too stringent; commanding officers should, he thought, at first have great latitude allowed them in this respect, and when experience had given the authorities some solid information to work upon, fuller regulations might be framed for the future.

Petition *ordered* to lie on the table.

House adjourned at a quarter before
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, April 1, 1867.

MINUTES.] — New Member Sworn — Right Hon. Hedges Eyre Chatterton, *for* the College of the Holy Trinity in Dublin.

Supply—*considered in Committee*—Navy Estimates—Resolutions [March 29] *reported.*

Public Bills—*Second Reading*—Canada Railway Loan [99]; Public Libraries (Scotland) Acts Amendment * [92].

Committee—Mutiny.

Report—Mutiny.

Third Reading—Sugar Duties * [37], and *passed*

BANNS OF MATRIMONY.

QUESTION.

Mr. MONK said, he wished to ask Mr. Attorney General, Whether he considers the doubts which have arisen as to the legal time for the publication of Banns of Matrimony in churches during morning service to be well founded; and, if so, whether it is the intention of the Government to introduce a measure during the present Session for removing those doubts, for legalizing Marriages knowingly solemnized without due publication of Banns, and for relieving clergymen who may have celebrated such Marriages from the serious penalties they have incurred under the Act 4 *Geo.* IV. c. 76?

The ATTORNEY GENERAL: I do not, Sir, myself entertain any doubt as to the proper time for the publication of banns; but different opinions are held on the subject by gentlemen well entitled to express an opinion. In point of fact, it is well known that marriages have been solemnized at both the times in question. The subject is undoubtedly one of very great importance, and the Government are considering whether it may not be possible to bring in a Bill this Session to remove the doubts and to remedy the consequences of those doubts.

KINGSTON ASSIZES.—QUESTION.

Mr. GILPIN said, he would beg to ask the Secretary of State for the Home Department, If his attention has been called to a trial at the Kingston Assizes, where two men, Burton, aged twenty-three, and Hay, aged twenty-nine, were indicted for burglary, before Mr. Baron Bramwell, and sentenced to seven and ten years' penal servitude respectively; to the fact that the convicts were violent and abusive on receiving their sentence, and, having been removed from the bar by the police, were ordered to be brought back by the Judge, who thereupon sentenced them each to a further term of five years' penal servitude?

Mr. WALPOLE said, in reply, that his attention had not been called to the circumstance until after the hon. Member had given Notice of his Question; and as no official communication had been made to him on the subject, he was unable to make any statement on the subject at the present moment.

Mr. GILPIN said, he would repeat the Question on the Motion for going into Committee of Supply.

FLOGGING IN THE ARMY.—QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for War, Whether, when he lately gave notice to the House that he intended to disregard the recent Resolution of a majority of the House in favour of the abolition of corporal punishmentin the Army, and to introduce the usual Clause on that subject in the Mutiny Bill, as if no such Resolution had been carried, he had consulted His Royal Highness the Field-Marshal Commanding-in-Chief on the subject, and had the approval of his Royal Highness in making that announcement?

Sir JOHN PAKINGTON: Sir, I must, in the first place, take exception to the terms of the Question of my hon. Friend. I cannot admit that I ever gave notice to this House that I intended to disregard the recent Resolution which it came to on this subject. I merely intimated to the House my opinion that, under all the circumstances of that majority, I thought it was desirable that the extent of that Resolution should be re-considered; but I think I have given abundant evidence to the House that I did not intend to disregard that Resolution. In answer to the Question of my hon. Friend, I have only to say that, in accordance with the Constitution of the War Department, the communications between the Commander-in-Chief and the Secretary of State for War are very frequent. The Secretary of State, however, is responsible for the Administration of the War Department. He is responsible for what he says or does in his official capacity in this House; and I cannot think that the House will expect or desire that the Secretary of State should be called upon to state the times, circumstances, and subjects of those consultations with the Commander-in-Chief, which are almost of daily occurrence.

Mr. DARBY GRIFFITH: I wish to know, whether the right hon. Gentleman declines to answer my Question? ["Order, order!"]

CASE OF JOHN TOOMER.

QUESTION.

Sir ROBERT COLLIER said, he would beg to ask the Secretary of State for the Home Department, Whether he has any objection to lay upon the table of the House a Copy of the Judge's or short-hand writer's notes of the evidence on the trial of John Toomer, who was convicted of rape and sentenced to fifteen years' penal servitude at the last Summer Assizes for Reading; and, of all Memorials and Correspondence relating to the case?

Mr. WALPOLE: Sir, I regret very much that for reasons which I will briefly advert to I do not think that I am at liberty to lay the papers to which the hon. and learned Gentleman refers upon the table of the House. Those papers are of a peculiarly private and confidential character, and contain matters affecting the character and conduct of third parties, and unless an opportunity were given to those parties to explain such observations as might be made about them, it would be a great injustice to them to make the papers public. Moreover, there is no precedent for the production of such papers, and to establish one will virtually be an interference with the prerogative of the Crown, and will make the House a Court of Appeal in criminal cases. Any one, I think, who considers the subject, will agree with me that it would be hardly competent for me to produce the papers asked for. At the same time, I may say that the facts of this case do not appear to me to have been sufficiently well understood—nay, in some respects appear to have been much misrepresented—if not perverted. Although, therefore, I cannot consent to lay the papers upon the table, because it would introduce a precedent which would be very inconvenient were it to be followed, yet I wish it to be understood that any explanations which I have to offer, or any requirements which may be made of me with reference to any conduct that I have pursued upon the matter, are perfectly legitimate subjects of inquiry, and I am perfectly willing to offer such explanations as may be required. Having said this much, I shall now, Sir, with the permission of the House, venture to state what really has taken place in regard to this matter so far as I myself am concerned. Toomer was tried for rape in July last. An application was made to me a few weeks afterwards on his behalf. Toomer himself signed a petition, in which he stated his own view of the case; said that the prosecutrix had been living with him on familiar terms; that he was entirely innocent of the crime, and asking that further inquiry might take place with the view of granting him a free pardon. That Memorial was accompanied by other documents, and I, in accordance with the course which I always take upon such occasions, referred the Memorial and the other documents to the Judge who presided at the trial. The learned Judge subsequently forwarded to me the notes of evidence and also his own opinion upon the case. From those notes two things were clear—first, that whether Toomer was innocent or guilty of the crime, it was perfectly clear that the statement which he made in his Memorial was not only unfortified but was totally at variance with the evidence; and secondly, that the whole matter apparently turned upon the credibility of the different witnesses. If the prosecutrix was to be believed, then the verdict of guilty could be sustained. If, on the other hand, the two female witnesses were to be believed, then Toomer was certainly not guilty. The matter, therefore, resolved itself into a question of credibility, as any one will see who takes the trouble to go through the evidence. The jury found the prisoner guilty, but recommended him to mercy. On being asked what was the meaning of their recommendation, they stated that there were extenuating circumstances; and on being again asked what they meant by that, they said that the prosecutrix had been indiscreet. The jury, however, did not appear to have any doubt that the crime was proved against Toomer, and the learned Judge was certainly of that opinion, as also were many of those who were present at the time of the trial. The application which was made to me was for a free pardon; but the House will see that I could not have recommended a pardon to be granted without deliberately deciding that the prosecutrix was guilty of perjury, and that the two maid servants ought to have been believed and not disbelieved as they had been by the jury. This was a case rather coming within the peculiar province of a jury, as it was a question involving the determination of facts. It was a case relating to the credibility of evidence, which could not be tried by me or any other tribunal, excepting in one way, and that was to allow Toomer to prosecute for perjury the person who had accused him, and upon whose evidence he had been convicted. A letter was accordingly written from the Home Office, giving no opinion upon the merits of the case, but intimating to Toomer that he would be at liberty to prosecute Miss Partridge for perjury. Had such a course been adopted, and had such an indictment been sustained, there can be no doubt that the innocence of Toomer might have been established. But objections have been stated against the recommendation of prosecuting the woman who gained the case for perjury. The first was that a conviction for perjury could not be obtained except upon the testimony of two witnesses, and the second was, that as Toomer was a felon he had forfeited his property to the Crown, and would have no means of trying the case. In answer to the first point, I may say that there were two witnesses—namely, the servants—and I am told it is perfectly clear that if these two servants could have corroborated the evidence of Toomer as to what took place on the Sunday night, and there was no reason to doubt them, that a verdict would have been obtained in favour of Toomer. With regard to the second point, I may state that I made inquiry and found that the property forfeited to the Crown was only a very limited proportion, Toomer having previous to his trial conveyed a very considerable amount of property to his father. Both objections, therefore, were such as could not be sustained. The prosecution took place last autumn, and from that time to this I have received no application whatever upon the subject. Since the meeting of Parliament, I have been asked by hon. Members whether the sentence of fifteen years' penal servitude ought to be allowed to stand. My answer is that that point has never been brought before me in any way. Had any memorial been presented upon the subject, it would have been considered, or if any deputation had waited upon me it would have been received, and their representations would have received due consideration.

Sir ROBERT COLLIER: I wish to ask the right hon. Gentleman, whether Papers, such as those I have just asked for, were not laid before the House in the case of Jessie M'Laughlan?

Mr. WALPOLE: Yes; but the case of Jessie M'Laughlan was a very peculiar case. In that case there was this important difference, that the question of the guilt or innocent of a third party (Mr. Fleming) was involved. If the papers are granted in the present instance similar papers cannot be refused in any other, and the appeal in criminal cases will virtually be transferred to this House.

REPRESENTATION OF THE PEOPLE BILL.—QUESTION.

Mr. GLADSTONE said, he wished to ask Mr. Chancellor of the Exchequer, Whether it is the intention of Her Majesty's Government to make any alteration in the arrangement or the provisions of the Bill for amending the Representation of the People before inviting the House to discuss the Clauses in Committee; and, whether he is willing to lay upon the table the Reports or other documents from which he quoted on Tuesday the opinions of the present and late Chairman of the Board of Inland Revenue respecting the proposed taxing franchise?

The CHANCELLOR of the EXCHEQUER: Sir, it is not my intention to lay on the table the communications from which I read freely, and without reserve to the House, the other night, but which were strictly of an informal character. I shall therefore not place them on the table. With regard to the other and more important Question put by the right hon. Gentleman, I beg to state that to-night I shall put on the Paper a Notice that in Committee of the Whole House on the Representation of the People Bill I shall move the omission of Clause 7—that is, the clause which proposes to give a second vote, in respect of which I act according to the statement I made to the House the other evening. With regard to all other controverted points, I beg to state that I think the House in Committee will be able to find the best solution, and that we shall enter into that Committee with the most anxious desire, in co-operation with the House, to bring the subject of Parliamentary Reform to a speedy and satisfactory conclusion.

Viscount CRANBOURNE: With reference, Sir, to the answer just delivered by the Chancellor of the Exchequer, I beg to ask my noble Friend the Member for King's Lynn, who on a previous night said the Government would introduce a Bill by which they would stand or fall, what are the provisions of that Bill by which the Government will stand or fall?

Lord STANLEY: That, Sir, is rather matter for argument and discussion than for a Question; and when our debates on that subject are resumed, I shall be quite ready to answer any observations my noble Friend likes to make.

UTILIZATION OF SEWAGE ACT.

QUESTION.

Sir JOHN SIMEON said, he wished to ask the Vice President of the Committee of Council on Education, Whether, looking to the doubts that exist as to parishes, any part of which may be under the Local Government Act (1858), being able to avail themselves either of the Utilization of Sewage Act (1865) or of the Sanitary Act (1866), the Government is prepared to amend the Law so as to enable parishes so circumstanced to bring themselves under the operation of those Acts?

Lord ROBERT MONTAGU said, in reply that the object of the Sewage Utilization Act was to extend the powers and benefits of the Local Government Act to rural parishes. The reason why a parish, any part of which may be under the Local Government Act, is unable to avail itself of the Sewage Utilization Act, or of the first part of the Sanitary Act of 1866, was the difficulty of avoiding contemporaneous jurisdictions and two systems of rating over the same area. Taking the case of Enfield, for example. That town was situated in a large agricultural parish, twenty miles in diameter. Farmers twenty miles off objected to be rated for the sewerage of that town. Enfield, therefore, put itself under the Local Government Act and rated itself and sewered the town. Now, it would be manifestly unfair that the whole parish should come under the Sewage UtilizationAct, and erect a second jurisdiction over Enfield, and subject the town to two rates merely for the benefit of the rural part of the parish. The only way in which the rural part could obtain these advantages, as it seemed to him, would be to extend the boundaries of the town, and therefore of the operation of the Local Government Act also, over the whole parish. But here, again, the rating difficulty would stand in the way. This point, however, and other amendments in the Sanitary Act, were under the consideration of Her Majesty's Government; but he could not say what they might see fit to carry out during the present Session.

GRAND DUCHY OF LUXEMBOURG.

QUESTION.

Mr. SANDFORD said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he has received any information of the sale of the Grand Duchy of Luxembourg to the Emperor of the French?

Lord STANLEY: Sir, in the course of this morning I received from the Hague a despatch containing a translation of a notice which appeared in the official organ of the Government of Holland. It is to this effect:—"We are requested by the Luxembourg Chancellerie to contradict most positively the report that a cession of the Grand Duchy has taken place." I apprehend there can be no doubt that communications have passed between the Governments of France and of Holland with reference to the possible transfer of that territory; but as to the result of those communications, I am not in a position to give any information to the House, not knowing what has happened.

BANKRUPTCY BILL.—QUESTION.

Mr. NORWOOD said, he would beg to ask Mr. Attorney General, Whether he will postpone until after Easter the Second Reading of the Bankruptcy Bill, in order that Commercial Associations in the provinces may have an opportunity for the due consideration of its provisions?

The ATTORNEY GENERAL, in reply, said, he should regret if the commercial bodies interested in such a Bill had not the fullest opportunity of considering its provisions; but if an opportunity between this and Easter arose for taking the second reading of the Bill, he thought that if he did not avail himself of it it would be equivalent to an abandonment of the measure. There would be abundant opportunities of considering any point that might arise, and he hoped the hon. Member would not object to the second reading should it come on before Easter.

ARMY—THE WAR OFFICE.—QUESTION.

Mr. O'BEIRNE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether any application has been made by the Secretary of State for War to the Lords of the Treasury, founded on a memorial from the permanent staff of the War Office, and recommended by the heads of departments and the Under Secretaries of State, for the payment of the salaries monthly instead of quarterly in the War Department; and, if such an application has been made, whether he intends to give orders that it shall be complied with?

Mr. HUNT said, in reply, that such an application had been made by the War Office this year. Applications had also been made in previous years to a similar effect. But as it would be impossible to give that privilege to the War Office without extending it to the other branches of the Civil Service, which would involve an increase in the establishment of the Pay Office, the applications had been refused. At the same time, he might state that the clerks in the War Office whose salary was under £100 per annum were enabled to draw their pay half-quarterly.

CESSION OF RUSSIAN AMERICA TO THE UNITED STATES.

QUESTION.

Mr. WATKIN said, he would beg to ask the Secretary of State for Foreign Affairs, If he has received any official corroboration of the statement in *The Times* of that day relative to the cession of the whole of Russian America and the adjacent islands to the United States?

Lord STANLEY: When I left the Foreign Office, Sir, a quarter of an hour ago no despatch had been received from our Minister at Washington, either confirming or contradicting the rumour. I telegraphed this morning to St. Petersburg for information upon the subject, but sufficient time has not elapsed for me to receive an answer.

Mr. LAYARD said, he wished to know, whether any information has reached the Government of any negotiations between Russia and the United States, with reference to this alleged cession of territory?

Lord STANLEY: No such information has reached the Government.

IRELAND—THE TYRONE MAGISTRATES

QUESTION.

Captain ARCHDALL said, he would beg to ask the noble Lord the Chief Secretary for Ireland, Whether he has received from Mr. Justice Keogh any Report in reference to the Magistrates of whose conduct he (Captain Archdall) complained some three weeks ago; and whether, in the event of no Report being received by the Government within a reasonable time, the noble Lord will, in justice to those gentlemen, institute an inquiry with reference to that complaint?

Lord NAAS: Sir, I have received no communication of the nature referred to from Mr. Justice Keogh. As to the second part of the Question of the hon. and gallant Member, that will be matter for the Government to consider before I can give an answer.

THE EASTER HOLIDAYS.

QUESTION.

Sir COLMAN O'LOGHLEN said, he would beg to ask Mr. Chancellor of the Exchequer, When the House will adjourn for the Easter holidays, and when meet again?

The CHANCELLOR of the EXCHEQUER: The usual recess, Sir, will commence on the 12th of this month, and close on the 29th; but whether the usual recess will be moved or not is at present in the hands of fate.

MR. GLADSTONE AND THE REFORM LEAGUE.—QUESTION.

Colonel STUART KNOX said, he would beg to ask the right hon. Gentleman the Member for South Lancashire, Whether the report in the leading journals of his speech to Mr. Beales and the Reform League deputation was substantially correct. He believed that reporters were present, or he should not ask the Question. ["Order, order!"]

Mr. GLADSTONE: Sir, my answer will be very simple. I have not had the pleasure, or satisfaction, or advantage, of reading that report.

WAR CLERKS' SALARIES.—QUESTION.

Mr. O'BEIRNE, alluding to his former Question as to the payment monthly of the clerks in the War Department by the Treasury, asked, Whether this privilege was not in force at the Admiralty, Post Office, and the Treasury?

Mr. HUNT said, he believed that the privilege was confined to the Post Office, and there it had occasioned some additional expense.

MUTINY BILL.—COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

New Clause 22.

(Every soldier shall upon enlistment be placed in the First Class of the Army, and no soldier in such class shall, in time of peace, be sentenced to the corporal punishment of flogging; every soldier in the First Class , for the commission of certain offences, to be specified from time to time in the Articles of War, be degraded to the Second Class of the Army, and every soldier in the Second Class shall be liable to be sentenced by Court Martial to corporal punishment not exceeding fifty lashes for the following offences, viz. mutiny, insubordination accompanied with personal violence or disgraceful conduct of an indecent kind; every soldier, when serving with a military force in the field or on board ship, shall be liable to a like punishment by Court Martial for any of the offences before enumerated, or for desertion, drunkenness on duty or on the line of march, misbehaviour, or neglect of duty.)

Question again proposed, "That the word 'may' be there inserted."

Mr. LOCKE said, he wished to ask the Chairman what was the exact position in which the Committee were placed with regard to this clause. As far as he understood the matter, the first two lines of the clause were agreed to on Thursday evening, when an Amendment was moved to substitute the word "may" for the word "shall" in the third line of the clause. It was now proposed by the right hon. Baronet the Secretary for War to substitute another clause for the clause under the consideration of the Committee. He wished to ask the Chairman of the Committee whether, on the present occasion, the Committee could consider any other clause than the one before them ?

MR. DODSON : The question which is before the Committee is whether, in the third line of the proposed new clause, the word "may" shall be inserted.

SIR JOHN PAKINGTON : The hon. Member is quite accurate in the description he has given as to the position at which the Committee has arrived with reference to this clause. I take this opportunity of expressing my hope that the Committee will allow the whole of this clause to be omitted, and that they will permit me to substitute in its place the clause of which I have given notice. If the Committee will indulge me for a short time I will endeavour in a few words to explain my reasons for making this proposal. In the first place, I have to state that in consequence of misapprehensions that occurred on Thursday night, I have found it very difficult so to alter the clause now before us as to make it accord with the alterations which I consented to make on Thursday night. Therefore, I thought that the better and more simple course would be to move to omit the clause before us, and to bring up a new clause in its place. The position in which we stand is this. On Thursday evening a decision was taken on the principle which is common to both these clauses—that principle being that whatever alteration the Committee might make the punishment of flogging should not be altogether abandoned in the army. The decision of the House was in favour of that principle by a very large majority in a full House. It then became a question what arrangement could be made consistently with the concession that the Government desired to make in order to carry out the decision of the House. It is perfectly true that I had expressed my willingness to exempt altogether from corporal punishment soldiers of the first class, and it is equally true that I had also intended to exempt soldiers in the second class from liability to corporal punishment except for three descriptions of offences ; but, after listening to the debate on Thursday evening, I could not help seeing that there was a very strong feeling on both sides of the House against retaining the punishment of flogging for the third offence, and therefore I felt that it was my duty to defer to that feeling. The result of this decision is, that in the clause I have drawn up the punishment of flogging will be restricted to the offences of mutiny and insubordination accompanied with personal violence. I must further say that I could not be insensible to the opinions which were expressed by hon. Gentlemen sitting on both sides of the House—opinions which were entitled to great weight—that it was not desirable that with regard to these two grave offences any classification should exempt the soldier who was guilty of them from corporal punishment. The clause I ask the Committee to insert, therefore, extends the punishment of flogging for offences of this description to all soldiers in the army without distinction of class. I must remind the Committee that this is not in any way a party question ; and therefore I trust that the clause will be supported by a large majority of hon. Members on both sides of the House. For my own part, I conceive it to be my duty to endeavour to carry out to the best of my ability the view on this subject which the House may take. Under these circumstances the Committee will, I trust, adopt the clause, about the latter portion of which, as it relates to the army when engaged in active service and is not a new regulation, I need not detain the Committee.

CAPTAIN VIVIAN said, after the disposition shown by the right hon. Gentleman he would make an appeal to his hon. Friend the Member for Chatham to rest and be thankful for this year, and not to press his views further than the Committee had arrived at on Thursday evening, particularly as they would bear in mind that the Mutiny Act was renewed yearly. At present the matter stood thus—that all soldiers upon entering the army were placed in the first class, and were not while in that class subject to the punishment of flogging. That question was put and carried on Thursday evening. He was therefore surprised to find that the right hon. Gentleman now proposed to negative the whole of that clause, and to insert this new clause, leaving out altogether the important concession which he himself had formerly granted. He was sorry to think that somebody with more knowledge of military matters than the right hon. Gentleman had obtained an influence over him on this question, and that circumstance, no doubt, had induced the right hon. Gentleman to propose the withdrawal of the clause; but he (Captain Vivian) should oppose the withdrawal of it, because he thought it would be a step backwards instead of forwards. He would therefore suggest that the right hon. Gentleman's new clause should be added to the clause under discussion, immediately after that part of it which referred to the classification of soldiers.

Mr. LOCKE said, he understood that his hon. and gallant Friend the Member for Truro now proposed to give up the concession made by the right hon. Baronet. ["No, no!"] He hoped that the Committee would stand by the clause now under discussion, and not substitute any other for it. By the new clause every soldier would be liable to be flogged for the two offences named; but the Committee had decided that all soldiers in the first class should not be flogged at all. He thought they were going to give up the concession made by the right hon. Baronet, and that he deprecated.

Major JERVIS adverted to the Queen's regulations, and maintained that soldiers in the first class could be flogged for aggravated mutiny, and therefore this clause in the Mutiny Bill was not necessary; besides which all men entering the army could not but be placed in the first class. The only question was whether they should retain the punishment of flogging for mutiny and insubordination. Flogging might be necessary in the field or in other emergency, when there might not be means of inflicting other punishment; but at any other time there was no necessity for it. At the same time, he thought the present clause was a great improvement on that which was presented the other night, inasmuch as it was grammatical, and it was logical, and brought straight before them the retention of the punishment for only two offences, these two offences amounting practically to but one offence. Up to the year 1859, there were twenty-four offences for which flogging was inflicted; but after the revision which was made by Lord Herbert, flogging was retained only in eleven out of the twenty-four. By this clause they abolished nine out of these eleven offences, which, as he had said, left practically only one cause of punishment. The point which was required by the hon. and gallant Member for Truro (Captain Vivian) was already provided for by the Queen's regulations, and was not necessary to be inserted in the Mutiny Act.

Mr. MOWBRAY said, he thought the hon. and gallant Member for Harwich (Major Jervis) had rather misapprehended the bearing and effect of the proposed alteration. By the Queen's regulations no man in the first class could be flogged except for mutiny and aggravated insubordination. The proposal offered by the Government the other night would have given him absolute exemption from that punishment; but it was urged by hon. Gentlemen on both sides of the House that there would thus be no means of punishing first-class men at all, and that if flogging was necessary for such serious offences in the case of second-class men, it was equally necessary in the case of the first-class. It was also urged that if the punishment were retained for mutiny, and for insubordination accompanied by personal violence, no faith would be broken with the first-class men, seeing that they were already liable to it for aggravated and mutinous conduct, which was tantamount to the two offences it was now proposed to reserve. The Government, therefore, wished to meet what appeared to be the feeling of the House, and the new clause suggested by his right hon. Friend had been framed with that object.

Sir GEORGE GREY said, he understood the state of the question to be this—that whereas some years ago regulations were adopted by which first-class men were exempted from corporal punishment, except for mutiny and insubordination, it was alleged in the debate on the Motion of the hon. Member for Chatham, and was, he believed, not denied, that notwithstanding these regulations, first-class men had been flogged in some instances for minor offences. In order to correct this, he understood the right hon. Baronet opposite to say that he would place the exemption in the Act of Parliament, so that the benefit might be secured to the soldier by the authority of the Legislature instead of depending on regulations. He did not, however, understand that, corporal punishment being retained, it was in contemplation to exempt the first-class men from flogging for the two offences for which its retention was declared necessary. When, therefore, on Thursday night corporal punishment was affirmed to be necessary for the summary repression of mutiny and insubordination, it struck him as preposterous to propose that 91 per cent of the army should for these two offences be exempted from it. If, for example, a mutiny were to break out, the leaders, if in the first class, could not be so punished, although they might be the most guilty. The right hon. Baronet, on seeing what would be the effect of the concession he had proposed, admitted that it was open to objection, and consequently agreed to the retention of corporal punishment for mutiny and insubordination, for which, if it was necessary at all, it was certainly required for all alike. He should be very glad when the time arrived for altogether dispensing with flogging; but he was not prepared to take the responsibility of saying that it had yet arrived, and that it was unnecessary to retain it for the two most serious offences, the prompt repression of which was indispensable. He agreed with the hon. and gallant Member (Major Jervis) that the new clause proposed by the right hon. Baronet was far better than that which he originally proposed, and the best course would be to negative the original clause and proceed to the consideration of the new one.

Mr. WHITBREAD said, he thought that the right hon. Gentleman misapprehended the intention of the Amendment. It was clearly not that soldiers of the first class should be degraded to the second and then flogged. He wished, however, to go to the wider question. It seemed to him that they had entered on quite a new phase of the question; for ever since it had been agitated it was the House of Commons, backed by public opinion, that had sought for concessions on behalf of the army. The other night they learned that the Commander-in-Chief thought that the first class could do without corporal punishment; but now the House of Commons said they could not do without it. The Secretary for War had taken the advice of the Commander-in-Chief, the Adjutant General, and other high military authorities, and they authorized him to come down to the House to make what he (Mr. Whitbread) admitted was a great concession. He was not prepared, as a Member of that House, to force upon the Secretary for War and the Commander-in-Chief a policy which they had announced would be useless. If the right hon. Gentleman carried his clause as it now stood, abolishing the classes as regarded corporal punishment, he might depend upon it the matter would not rest there. He trusted that the House would negative the clause.

Mr. SAMUDA said, he had on the last evening given his vote for Government under the impression that the clause provided that no soldier in the first class should be flogged; but the clause now under consideration admitted of the interpretation, whatever its real purport was, that for any offence committed by a soldier in the first class he should be degraded to the second; and in the second, for his next offence he should be liable to punishment. His own feeling was against personal punishment; and he believed a great number of votes were given the other night under the impression that there was to be a considerable reduction in the amount of punishment. The present proposal went exactly in an opposite direction; and certainly if it went to a division he should vote against having the first-class men liable to the punishment.

General PEEL reminded the Committee that by the 15th clause of the Mutiny Act, which had already been agreed to, the penalty of death was imposed for mutiny or aggravated insubordination; no distinction being made between the first and second classes. If therefore that penalty was not inflicted, and corporal punishment were abolished for first-class men, what was to be the substitute? Mutiny and insubordination were obviously more aggravated offences in the case of first than of second-class men; because all the sergeants, corporals, and non-commissioned officers were naturally in the former class; and if the extreme penalty were not inflicted, the next most severe punishment ought surely to be enforced. If flogging were retained at all, it ought to be retained for the first class as well as for the second.

Mr. HORSMAN reminded the right hon. and gallant Member that although the 15th clause did say that mutiny should be punished with death, yet the 16th clause provided for the commutation of that penalty to penal servitude or any other punishment. The question before them might be put in the smallest possible compass. The House had affirmed a Resolution abolishing corporal punishment. Then the right hon. Gentleman the Secretary for War consulted the military authorities, and with their consent, almost at their suggestion, he came down with a new clause for the Mutiny Act, which made a great concession—namely, that corporal punishment was to be abolished in favour of 91 per cent of the army, leaving only 9 per cent still liable. The right hon. Gentleman said, "I offer this concession that corporal punishment shall be entirely abolished in the case of the first class, thus exempting all good conduct men." Upon that question the House divided; and hon. Members now said they should not have voted with the Government had they not conceived that all good conduct men were to be exempt from corporal punishment. So the matter stood until it came to Committee, and then the late Judge Advocate, to his (Mr. Horsman's) great surprise, persuaded Her Majesty's Government to abandon the distinction, and to apply the lash indifferently to the good and bad conduct men. He (Mr. Horsman) objected to withdrawing the concession; and he felt much indebted, and the House felt much indebted, to the hon. Member for Bedford for the way in which he had stated the question. He hoped that the Government would abide by their concession, which every one felt had done them so much credit. He hoped that the good conduct men of the army would still be exempt from corporal punishment.

Colonel NORTH said, he believed he was the first Member who inquired on Thursday night whether it was intended to exempt first-class men from flogging—no matter what offences they might commit. The clause now proposed by the right hon. Baronet was, on the whole, a very fair one; but he should like to have a clear definition of the term "insubordination accompanied by personal violence." He should like to know whether these words meant simply the striking of an officer, or whether they included the offence of refusing to obey orders. He hoped his right hon. Friend the Secretary for War would give the House a decided answer to that question. The right hon. Member for Stroud quoted on Thursday cases in which men had been repeatedly flogged, arguing therefrom that the punishment was ineffectual. It should, however, be borne in mind that those were cases in which men had over and over again sold their kits: an offence for which "marking" was not sanctioned by military law. If therefore such men were discharged as had been suggested, there would be nothing to hinder their joining another regiment and repeating the offence. He held that if a man deserted his regiment and went off and joined some other, thus robbing the public by receiving a new bounty, such a man should be made a severe example of. Discharge, moreover, must not be made too easy, or soldiers would commit offences on purpose to obtain it. The right hon. Gentleman also mentioned the number of lashes and the term of imprisonment which had in certain instances been inflicted, and that statement had been reported in the leading journal, and had been circulated all over Europe; yet he suggested no substitute for those punishments, but simply recommended that bad characters should be discharged. Would he approve, however, of branding them? It was surely necessary that blackguards who were discharged from the service should be marked in some way in order to prevent their enlisting again. There are as many Gentlemen on the other side of the House as on his own who have sons, or nephews, or other relations in the army, and therefore this question was as important to the one side as to the other; and it was most desirable that proper regulations should be agreed upon. It was all very well to talk about punishing offenders by imprisonment. There was this difference between the imprisonment of a soldier and of a civilian—that in the former case the performance of his duties devolved upon his comrades. It had been stated the other night that for many years no man had been flogged in the 7th Hussars. ["No, no!"] A Return before the House showed that statement to be incorrect. It had also been erroneously said that there was no flogging in the Guards. He did not himself believe that flogging could be entirely done away with; and he thought the proposal of his right hon. Friend the Secretary for War was well worthy the consideration of the House.

Mr. OTWAY said, he thought that it was quite unnecessary to follow the hon. and gallant Member into details which had been so often discussed; but he would remind him that the statement as to there having been no flogging for some years had reference to the 14th, and not the 7th Hussars. His object in rising was to call the attention of the Committee to two important considerations that should not be lost sight of during the discussion; and the first was the very serious imputation which would be cast upon the House of Commons if they did not maintain the concession which was granted by the Government the other night. What would be said by the country if when a Minister of the Crown announced, after consultation with the military authorities, that he had determined to make a certain concession, the House of Commons forced him by their action to withdraw that concession? There then came this further consideration. The right hon. Gentleman's majority was largely augmented by his statement that they were about to make very important concessions; and with all respect to the right hon. Gentleman he must say that it would be a breach of faith if, after the division, the right hon. Gentleman, on the mere intimation of the right hon. Baronet (Sir George Grey), should withdraw the concession that he had made with such a flourish of trumpets, and they should be placed in a worse position as to flogging than they were in some time ago. This subject was never discussed without some light being thrown on it, and some new inconsistency developed; and an instance was to be found in the observations of the right hon. and gallant General that night. They had always been told that it was necessary to have corporal punishment, especially in reference to ill-conditioned privates assaulting non-commissioned officers. The clause, however, as it was now proposed that it should stand, would be not for the protection of non-commissioned officers, but it would inflict a hardship upon them, for these non-commissioned officers would be in the first class, and might be flogged if they misconducted themselves. He was opposed altogether to corporal punishment in the army in time of peace, believing that it might be safely dispensed with; but if the Secretary for War would accede to a proposition which would enable recruiting officers to tell recruits that they could not be flogged until by misconduct they had caused themselves to be degraded into the second class it would have, in his opinion, a very beneficial effect upon recruiting. He hoped the Government would consent to let the matter stand in this position.

Sir CHARLES RUSSELL said, he thought that it was desirable that a few facts should be known to the Committee before they came to a decision upon the question before them. It had been asserted that recruiting was impeded because men were afraid of the lash, and, on the other hand, he himself had said that recruiting was impeded because the pay was insufficient. He had obtained an official document, duly signed and authenticated, to show the results of recruiting for the years 1865 and 1866, and the figures would conclusively establish the fact that the lash had no effect in deterring men from entering the army. In the first quarter of 1865, 4,167 men were enlisted, and in the corresponding quarter of 1866 the number was only 3,547; and in the June quarter 3,250 were enlisted in 1865, and over 3,273 in 1866. But in the September quarter of 1866, when it had become known that the Commission was about to propose certain recommendations, the number rose to 4,108 against 3,408 in the corresponding quarter of the previous year, and in the following quarter the figures were 4,269 in 1866 against 3,605 in 1865. In the last eleven weeks the returns from the recruiting establishments gave the unprecedented number of 3,832 enlisted, which was at the rate of 4,578 for the quarter. But the case of the Royal Marines was still stronger. The strength of this corps was 16,400, and they had never had the slightest difficulty in keeping up their numbers; they had for several years never been more than fifty below their number, though fifteen men per month were allowed to purchase their discharge. Now in the Marines corporal punishment was more frequent than in any other branch of the army, and when the men were enlisted the provisions under which they were to serve were read to them, yet there was this remarkable fact, that there was no recorded instance of any recruit for the Marines refusing to enlist upon the ground of corporal punishment. If the lash only deterred men who were likely to commit aggravated mutiny from entering the army, it was well for the service that it existed. Experience and experiment both confirmed his view, for when, in 1832, Sir Henry Bouverie commanded in the northern district he ordered that under no consideration should the men in his district be flogged, and the result was that several regiments got into a terrible condition. It ended in one regiment getting into a state of mutiny; it was hurried off to Dublin, and it had not been there a week before a man stepped from the ranks, shook his fist in his colonel's face, and said, "You cannot flog me." The man, however, was tried and afterwards flogged; and the bad spirit ceased, as if by magic, and there was no trouble from that moment. He had a letter from an officer who commanded the 78th for five years, and he said that he had had only one man flogged, though others had been sentenced by courts martial to be flogged, but he considered that the state of discipline permitted him to remit that punishment; but at length the discipline got into so bad a state that he was bound to have a man flogged. Reference had been made to foreign armies, and he wished to say that in the Prussian army soldiers were beaten with a cane, and there was far greater power than in our army intrusted to young officers as to ordering the punishment. He had a letter from an English officer who had been a good deal in France, and he said that in 1855 in the French army 140 men were sentenced to death, and in eighty-two instances the punishment was carried into effect. Four years ago a young French soldier, who formed one of a fatigue party under a corporal, being drunk sat down and refused to move further, and struck the corporal repeated blows in the face. For this he was sentenced to death, and the sentence was carried out. He believed that they must have corporal punishment, as it was necessary to the maintenance of discipline, and he hoped that the House would not hastily abolish it, and thus place officers who were responsible for the discipline of the army in a very difficult and unfair position. He was sure that officers who were intrusted with the power to flog would exercise it with the greatest care and consideration; and that a commanding officer could have no greater pleasure than to know that for a number of years he had maintained proper discipline without having recourse to the lash.

Mr. COWPER said, he hoped the House would not be led away by feeling and sentiment, for the question before them was one of vital importance. The question was whether they were to have an army with discipline or an army without discipline. If discipline were not maintained an army was more terrible to its friends than to its foes. When a man joined the army he bound himself to obey the commands of his officers. These might be men whom he did not respect, and their orders might be such as he might consider unwise; but it was of the most absolute necessity that these orders should be implicitly obeyed. The question, then, was what punishment should be inflicted for insubordinate and mutinous conduct. In every army there was the power of inflicting the punishment of death for mutiny and violent insubordination; but the question now was what should be the punishment for secondary offences. His hon. Friend maintained that it was not necessary to retain flogging as the secondary punishment, because there was already the power of inflicting penal servitude. But it was obvious that penal servitude, unlike flogging, could not be applied at the very nick of time. What was wanted was a punishment that could be inflicted just at the moment when the spirit of insubordination and mutiny was rising. Under such circumstances, it was obviously useless to tell men that if they went on in that course they would render themselves liable to penal servitude. The experience of all armies had told them that there must be a summary punishment, applicable to extreme cases, and that without it an army would become demoralized and useless, if not dangerous, as a military force.

Mr. PUGH said, he rose to express the hope which had been already expressed in the course of the debate, that the punishment of the lash would soon be abolished altogether. This discussion seemed rather retrograde, for they were discussing whether certain classes of the soldiers should be exempted from such punishment, while they knew quite well that in other countries and other times whole armies had been exempted from corporal punishment without any danger to the State. But he would not have attempted to take part in this discussion if he had not observed that the minds of military men were divided on the subject. The question at issue was not whether the country should have an army with discipline or without discipline, but whether discipline could be maintained without corporal punishment, and where history was concerned one man could mention a fact almost as well as another. Under these circumstances, he thought they might advantageously refer to a work which had lately appeared, and which had received considerable attention; it was the *Life of Julius Cœsar*, by the Emperor of the French. In the preliminary survey of Roman history, the Emperor, referring to the condition of the Roman soldier after the Punic wars, said—

> "The allies were always in a state of inferiority. Their contingents, more considerable than those of the metropolis, received but half their pay; and they were subjected to corporal punishments, from which the soldiers of the legions were exempted."

They knew what the Roman army then was; it had destroyed Carthage, and it had conquered one of the greatest generals of any age or country. If the Roman soldier could march to victory while exempted from corporal punishment, why not the British soldier also? Was he less amenable to discipline and order? Hon. Gentlemen doubtless remembered the description of Cromwell's army in the late Lord Macaulay's *History of England*, where he said—

> "In that singular camp no oath was heard, no drunkenness or gambling was seen, and during the long dominion of the soldiery the property of the peaceable citizen and the honour of woman were held sacred. Not an ounce of plate was taken from the shops of the goldsmiths; no servant girl complained of the rough gallantry of the redcoats."

The historian then went on to describe their military achievements on the Continent, of which their country might well be proud. It might, perhaps, be said that the times were different now. Certainly they were different in one respect, and he admitted it, for the benefit of military men who were anxious for the welfare of their soldiers. The pay of the soldier was then double that of the common labourer, while the pay of the labourer was at the present day far more than double that of the soldier. But they could appeal to higher and nobler motives. They could improve the condition of the soldier, they could discharge bad characters from the army, and by raising the men in their own opinion and making them proud of their profession and influencing them by love of country, they would be able to abolish the lash.

MR. W. E. FORSTER said, he would not enter now upon the subject of corporal punishment, although it was one on which he entertained a very strong opinion. The real question before them was a very serious one; it was whether the House would support the right hon. Baronet opposite in making his concession, or whether they would compel him to retract it. It had been argued that recruiting was carried on under great difficulties, because every man who enlisted was liable to be flogged; and he believed the right hon. Baronet himself had acknowledged that such was the result of the existing system. At all events, it was extremely important that they should have a good and plentiful supply of men for the army, and he believed that this supply would be seriously affected if the concession which had been made were retracted. It was now proposed that every recruit should be liable to be flogged instead of soldiers in the second class being alone liable, and this proposition, if carried out, would render it more difficult to get men of good character to enter the army, as recruits would then think that the House of Commons and the War Department together intended to keep them all liable to the lash.

MR. AYRTON said, he thought it would be more convenient to take the opinion of the Committee on the clause first proposed by the right hon. Baronet, and if that were negatived, the right hon. Baronet could then bring forward his second proposition. The question that should be put now was whether the word "may" should remain in the clause.

Question put, and *agreed to.*

MR. RUSSELL GURNEY suggested an Amendment of the clause to the effect that "upon conviction of certain offences by court martial," instead of "for the commission of certain offences," a soldier of the first class might be degraded.

Amendment *agreed to.*

MR. WHITBREAD proposed the omission of the last part of the clause, and the substitution of the words:—

> "Any court martial may sentence any soldier in the second class to corporal punishment for mutiny or insubordination, accompanied with personal violence, of which he may be guilty while in such class,"

with the addition of the following words from the new clause, of which notice had been given by Sir John Pakington:—

> "And, save as aforesaid, and as hereinafter mentioned, no court martial shall have power to sentence any soldier to corporal punishment; provided that any court martial may sentence any soldier to corporal punishment, while in active service in the field, or on board any ship not in commission, for mutiny, insubordination, desertion, drunkenness on duty, or on the line of march, disgraceful conduct, or any breach of the Articles of War, and no sentence of corporal punishment shall exceed fifty lashes."

Amendments *agreed to.*

On Question, "That the clause, as amended, be added to the Bill,"

SIR JOHN PAKINGTON said, he thought, from the tone of the discussion, it might be supposed that he was making no concession, whereas in point of fact his proposal went to the extent of abolishing corporal punishment for eight or nine offences which under the existing law were liable to it, and thus leaving that punishment applicable solely to mutiny and insubordination accompained with personal violence. He was also taunted with having acted under the influence of military authorities. It was true that the highest military authorities had pronounced a strong opinion upon the question as it had been recently discussed in the House of Commons. But while the Government desired, as far as it was possible, to give effect to the strong opinion expressed by the House of Commons, by acceding to the proposition of limiting the punishment of flogging to those offences he had referred to, it was with great reluctance that they consented to abolish it for mutiny. He himself expressed doubts on Friday night, and he now desired to take upon himself the responsibility of so far retracing his steps as to express his conviction that, after the sentiments expressed on both sides of the House, it would be far more prudent to leave the crime of mutiny to be visited with corporal punishment. An hon. Gentleman had asserted that he was thus placing the soldier in the first class in a worse position than he was at present. That was not the fact, for the soldier in the first class was now liable to be flogged for either of those offences, and he merely left him as he then was.

Captain GROSVENOR spoke amid loud cries for a division. He was understood to say that he gave full credit to the Secretary for War for the disposition he had shown to meet the views of hon. Gentlemen on that (the Opposition) side of the House, and he regretted that the right hon. Gentleman had been induced to withdraw the concession he had made. For his part, he objected to men of the first class being liable to corporal punishment for isolated cases of insubordination.

Question put, "That the Clause, as amended, be added to the Bill."

The Committee *divided*:—Ayes 162; Noes 175: Majority 13.

Sir JOHN PAKINGTON then proposed the following clause, which was read a first and second time:—

"Any court martial may sentence any soldier to corporal punishment for mutiny, or for insubordination accompanied with personal violence; and, save as aforesaid and as hereinafter mentioned, no court martial shall have power to sentence any soldier to corporal punishment. Provided, that any court martial may sentence any soldier to corporal punishment while on active service in the field or on board any ship not in commission, for mutiny, insubordination, desertion, drunkenness on duty or on the line of march, disgraceful conduct, or any breach of the Articles of War; and no sentence of corporal punishment shall exceed fifty lashes."

Mr. OTWAY said, that this clause also involved the question of corporal punishment; but after the division which had just taken place, he thought it useless to waste the time of the Committee by dividing. He must, however, enter his protest against the clause; and he would tell the right hon. Baronet that by the course he had pursued he would have brought upon himself the implacable hostility with which hon. Gentlemen opposed to flogging would pursue him in reference to this question. He (Mr. Otway) would certainly deem it his duty to do all he could to put an end to this most barbarous and disgraceful punishment. [*Ironical cheers.*] When hon. Gentlemen opposite taunted him with those cheers, he would remind them of the declarations that had been repeatedly made throughout the discussions upon this measure, that it ought not to be considered a party question. But who, he asked, had made it a party question? It was made so by the whips on the Government side who, from remote parts of England and Scotland, brought up Members to support their proposition. The right hon. Baronet had chosen to recall the concessions he had deliberately made to the House of Commons upon this question. The conduct of the right hon. Gentleman would not be forgotten next year, when efforts he (Mr. Otway) hoped of a more successful character would be again made to abolish this system of flogging in the army. So satisfied was he of the justice of the alteration for which he and his friends contended that he would lose no opportunity of urging the abolition of corporal punishment.

Mr. LAYARD said, that the right hon. Baronet, after having stated to the House that with the concurrence of the military authorities he had exempted 153,000 British soldiers in the first class from corporal punishment, leaving only 17,000 exposed to it, had now deliberately withdrawn this exemption. He hoped this would go forth to the country, and the right hon. Gentleman must be held entirely responsible before the country for this proceeding.

Sir JOHN PAKINGTON: I also express a hope that it will go forth to the country as the hon. Gentleman desires, and I also hope it will go forth at the same time that it has been my good fortune to propose the relief of many thousands of our soldiers from ten or eleven offences which were punishable by corporal punishment.

Sir GEORGE GREY said, that this was the last question on which any party feeling ought to exist, and he could not therefore concur in what had fallen from the hon. Gentleman the Member for

Chatham; but he thought his hon. Friend might sincerely congratulate himself—looking at the great alteration made in the Mutiny Act this year—upon having been the means of diminishing to a large extent corporal punishment in the army.

Major JERVIS said, he could assure the hon. Gentleman the Member for Chatham that party politics had not guided him (Major Jervis) in the course he had taken with reference to this subject, and he asked the hon. Gentleman to drop all ascerbity of feeling, and be satisfied with what he had achieved. The position of the first-class soldier was the same now as it was before—namely, that he could not be flogged except for mutiny or insubordination, whilst the second-class soldier had been relieved from corporal punishment for desertion, drunkenness whilst on duty, or on the line of march, embezzlement of public monies, stealing from a comrade, theft, making away with necessaries, and other offences. In all he had been relieved from corporal punishment in eleven cases, and besides that, arrangements had been made by which the incorrigible blackguard could be got rid of without his being returned to his regiment.

Sir HARRY VERNEY said, he believed that the army at present could not be governed except by the lash; but it depended upon that House whether the right hon. Gentleman the Secretary for War should be enabled to do without it. When, therefore, the right hon. Gentleman in some future year should propose measures with the view of abolishing the lash, and should say that it would cost money, let not hon. Gentlemen who talked against flogging say "No!" The strong feeling which had been manifested in the House against flogging would enable the right hon. Gentleman to bring forward such measures, and he felt sure there was no one more desirous than the right hon. Gentleman to free the country and the army from the disgrace of the lash. No one entertained a stronger feeling against the lash than he did, and he rejoiced at the spirit which the House had manifested. But did they suppose that in foreign armies the punishments were not as severe? In the French army, out of 123 military offences, no less than forty-three were punishable with death. An American general was under the gallery the other night during the debate on the subject, and when asked what punishments they had got in the American army in place of flogging, he replied that though flogging was against the "Articles of War," they flogged the bad characters after all.

Mr. HORSMAN said, he was bound to admit that both the right hon. Gentleman the Secretary for War and the military authorities had shown every disposition to meet the wishes of hon. Members on that occasion. The question came upon the Government very suddenly, and they knew it was one on which the military authorities felt very strongly, and he must say that they had conceded far more than could have been expected under the circumstances. He could not, however, refrain from expressing his surprise that when that concession had been made by the right hon. Gentleman, and when it would have passed the House without opposition, difficulties should have been raised, not from that (the Ministerial) side of the House, but by right hon. Gentlemen who sat on the front Opposition Benches. He thanked the right hon. Gentleman not only for the concession he had made, but also for the manner in which it had been made, as showing that the military authorities were willing even to concede more. The manner and spirit in which the Resolution had been met confirmed the opinion he expressed the other night that this was the last time they would see corporal punishment continued by a clause in the Mutiny Act for infliction in time of peace. He wished to correct an error referred to by his gallant Friend, relative to what he (Mr. Horsman) stated the other night as to the number of lashes inflicted. He did not intend to represent the large number of lashes given, but the number of days the offenders were committed to hard labour; because he knew at the time that not more than fifty lashes could be given at one time. In the first case to which he referred he stated that the man had fifty lashes and 250 days' hard labour; in the second, fifty lashes had been inflicted on three separate occasions and 434 days' hard labour.

Sir GEORGE BOWYER said, he was anxious to mention to the Committee a circumstance of considerable practical importance relating to the matter before them. The division which had just taken place strongly illustrated a complaint he made last Session, that when the House was full the smallness of the space in which they were assembled prevented Members from getting into the House to know what was going on. Several hon. Members, himself amongst the rest, were unable to get inside the House before the last division took place, so as to hear the Question put. He heard many hon. Members around him ask the questions, "Are we voting right?" "Are we voting for the 'ayes' or for the 'noes'?" and he heard one hon. Member say, "I am voting for Otway," when in reality he was voting against him. He thought the subject ought to be considered by the House. ["Order, order!"]

The CHAIRMAN said, the Committee was a Committee on the Mutiny Bill, and it was not therefore competent for him to consider the arrangements of the House. If the hon. Baronet wished to raise that question he must do so in the House when the Speaker was in the Chair.

Sir GEORGE BOWYER said, that with all deference to the Chairman he was speaking about the late division, and whether it was one which ought to have weight with the House. He thought it ought not.

Mr. M'LAREN said, he agreed with the right hon. Member for Stroud that the result of the late division would give great dissatisfaction to the country, and all the more so, because, as had been pointed out, the deterioration of the liberality of the measure proposed came from the Benches on their (the Opposition) side of the House. There could be no mistake that that was the fact. He must, however, altogether deny that a great concession had been made. Before the clause which had just been carried the state of the army with reference to corporal punishment was this, that 153,000 soldiers, a number equal to the population of one of their great towns, were altogether exempted from the lash under the clause as originally proposed by the Secretary for War; but under the clause as it had now been carried, they were all liable to be flogged for two offences, and the second-class soldiers were liable to be flogged for five separate offences. Under the Articles of War any offender could be visited with flogging, even for smoking in one of the sleeping apartments, if the Commander-in-Chief made it a punishable offence under the Articles of War. He thought the Committee would find that the effect of the clause just passed would be to make the labour of the recruiting sergeant more difficult and less productive than it had hitherto been.

Mr. WHITE said, he was at a loss to conceive that any concession had been made. Six or seven years ago, when he brought the subject before the House, he was asked by the late Lord Herbert, the then Secretary for War, not to press his Motion to a division, because the army had been divided into classes, and that the first-class men would not be liable to corporal punishment. The same argument was used by the late Sir George Lewis, and by the present Lord Northbrook; but now that distinction was abolished, and the question so far from advancing was positively retrograding. The Duke of Wellington, twenty-two years ago, said he hoped to live to see the day when corporal punishment would be abolished. Yet they were now in the same condition with regard to it as they were then. He must therefore express his regret that the right hon. Gentleman had not persisted in the concession which in the first instance he offered to the House.

Sir EDMUND LECHMERE said, he could not admit that this question was regarded on the one side or the other as a party question. He and many hon. Members on the Ministerial side of the House had supported the Motion of the hon. Gentleman the Member for Chatham, and the result had been a great advantage gained, which might be used to improve the status of the British soldier. From the information he had obtained from sergeants under whose drill instructions he had been, he ventured to think that the result of this discussion would be to very much facilitate the labour of the recruiting sergeant, and at the same time to give great encouragement to a large body of intelligent men to join the army. There were other subjects connected with the condition of the soldier, which required consideration, but he did not believe they contributed to the same extent to keep respectable men out of the army as flogging.

Mr. OTWAY, in explanation, said, he did not mean to use the term party question in the sense in which it had been taken by hon. Members. It was perfectly true, as every one knew, that every exertion had been used to get a Government majority.

Mr. MONTAGU CHAMBERS said, it was assumed by the hon. Gentleman the Member for Chatham, and not contradicted, that the late Lord Herbert, who was a most benevolent man, and one who was exceedingly anxious to serve the soldier, had divided the army into two classes, exempting by the Queen's regulations those who were in the first class from corporal punishment. At first he understood that privilege was to be retained; but to his astonishment, and he believed to the astonishment of many other Gentlemen also, that privilege had been taken away. It had been his fate to see soldiers receive more than fifty lashes each at a time, and he, for one, should be glad to see the punishment entirely abolished. He was convinced that in time they might abolish flogging from the army; because since 1834 the statistics showed that a less number of lashes had been given, and a fewer number of men flogged than formerly, and yet the discipline of the army had not in the slightest degree diminished. They had lost the boon of the men in the first class, which was a great pity; but they must for the present be content with those advantages they had gained, hoping, however, that another year's experience would induce whatever Ministry should happen to be in power to come down to the House and say that, except in time of war, they were prepared to abolish flogging altogether.

Clause *added* to the Bill.

Clauses 10 and 11, with Amendments, *agreed to.*

Preamble.

Mr. OTWAY said, he thought that it was absurd, considering the small numerical strength of the British army and the events which had recently occurred on the Continent, to declare in the preamble that the army was maintained "for the preservation of the balance of power in Europe." He would therefore move that those words be omitted.

Mr. DARBY GRIFFITH complained that the Government had been afraid of bringing the important question involved in this Bill before the Horse Guards, and had neglected to do so from the 15th of March to the 22nd, when they were forced to adopt that course; and whilst on one occasion they had invoked the authority of the Horse Guards in favour of their views, they had subsequently evaded the responsibility of communicating with that Department. The answer which the right hon. Gentleman (Sir John Pakington) had given him at an earlier period of the evening upon the subject of the Commander-in-Chief was eminently unsatisfactory; and he must go further and characterize it as evasive. He did not think the right hon. Gentleman himself, and he was sure the House did not understand where the power of the Horse Guards commenced and where it ended. It was a great responsibility to quote the opinion of the Horse Guards to the House, inasmuch as there was scarcely a single hon. Member in the House who was not interested in some persons immediately under the control of that Department.

Sir JOHN PAKINGTON assured the hon. Member for Devizes that the inferences he drew were perfectly inaccurate. With regard to the words in the preamble to which objection had been taken, he observed that they had been inserted in every Mutiny Bill for a long time, and he advised the hon. Member for Chatham, who had given notice of his intention to propose in a future year great changes in the Mutiny Bill, to reserve this point for consideration among others.

Mr. OTWAY said, that was no reason why those words should remain in the Act. They were a perfect absurdity, and their omission would not affect the Mutiny Bill at all. He moved that they be omitted.

Colonel SYKES thought the words had been so long in the Act that it was quite time they were invalided.

Amendment *negatived.*

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

General DUNNE asked the Secretary of State for War if the classification of the civil departments had been decided on, so as to place all the civil departments on a similar footing as to allowances, and whether civil officers of the Royal Engineers department were included? He believed this matter had been referred to a Committee which had finished their labours, and he wished to know whether the Report would be carried out?

Sir JOHN PAKINGTON said, it was quite true that the subject to which his hon. and gallant Friend referred had been under the consideration of a Committee; but, so far as he was aware, his hon. and gallant Friend was mistaken in supposing that the Committee had concluded their labours. The subject was still under the consideration of the Committee; at all events, they had not yet reported, and till they had done so, he could not tell what decision would be arrived at.

SUPPLY—NAVY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

1. Question again proposed,

"That 67,300 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March, 1868, including 16,200 Royal Marines."

Whereupon Question again proposed,

"That 65,300 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March 1868, including 16,200 Royal Marines."—(*Mr. Childers.*)

MR. STANSFELD said, he wished to call the attention of the Committee to the point at which they had arrived when the Chairman was ordered to report Progress. His hon. Friend the Member for Pontefract had reviewed the Estimates at considerable length and in considerable detail, pointing out evidence, as he thought, of the absence of an economic hand in their construction. His hon. Friend complained of the excess of £500,000 as compared with the Navy Estimates of the preceding year, and he went on to propound in great detail a policy and a scheme for the reduction of our foreign squadrons, which, without at all impairing the efficiency, but rather adding to the immediate efficiency, in time of peace, of our navy, would effect a considerable saving, which it would be open to the Admiralty to apply as far as necessary in the construction of fighting vessels of war. No one could deny that when a new Government came down to ask for an addition of £500,000 on the Navy Estimates, and, on the whole of the Estimates, of £2,000,000, they were at least bound to offer some clear and complete explanation, some sufficient defence and justification of that extra charge. The first point to which he addressed himself was this—had they been furnished with that complete explanation? What was the line of argument adopted by the noble Lord who introduced the Navy Estimates, and by the present and late First Lord, who followed his hon. Friend the Member for Pontefract. The first thing he noticed was—he would not say the deliberate intention, but the tendency and desire to shift the responsibility of this heavy and increased charge on other Departments of the Government, and also on the proceedings and policy of the late Government. Then the noble Lord the Secretary of the Admiralty said that the maintenance of a squadron on the slave coast was a Cabinet question, and that as long as the Cabinet decided on keeping up squadrons of this kind, the Admiralty were bound to find the men and ships.

LORD HENRY LENNOX said, the hon. Member was mistaken. He did not say anything of the kind. What he did say was that on a question of national policy the Cabinet must decide.

MR. STANSFELD: The noble Lord certainly talked of vessels on foreign stations which on the outbreak of war would have to "cut and run." He also talked of the African squadron, and expressed a strong hope that it might at least be reduced. Then the present first Lord gave some recollections of an older date, when he was Secretary to the Admiralty some years ago, and told them that the Admiralty were the victims of the Foreign and Colonial Departments. But the true doctrine as to responsibility for Estimates was laid down by the Chancellor of the Exchequer. On the subject of cost the First Lord was responsible as a Cabinet Minister; and the whole Cabinet were fully responsible to the House for the policy of the Estimates and the charge which the House of Commons were asked to defray. Therefore, he repeated, when a new Government asked £500,000 in excess of previous Estimates they were bound collectively and individually to give some good reason for the demand. The right hon. Baronet the late First Lord appeared to be disposed to throw the responsibility of the existing scale of foreign squadrons on the late Board of Admiralty and the late Government. The right hon. Baronet read a list of the number of men and tonnage of vessels employed in foreign squadrons from 1860, downwards, showing that during the time of the late Board of Admiralty there had been a progressive diminution in the number of men and tonnage of ships employed in foreign squadrons. He also showed that in 1867 there was a still further small reduction. The reductions stated to have been made in particular branches of the service at the beginning of 1867 had not affected the amount of the charges nor the number of men asked for the year 1867-8. He admitted that the Naval Estimates of recent years were also open to criticism, and that the measures which had been taken to improve the efficiency of our naval force had been hesitating and illogical, and had involved a great waste of public money. But with reference to the policy proposed to be pursued by the present Board of Admiralty, he could not forget the old maxim which asserted the desirability of "being off with the old love before taking on with the new," and he thought the Board of Admiralty ought to be sufficiently satisfied of the value of the new power, offensive and defensive, before they gave up the old. The nation, however, had a right to ask that our naval force should progress in strength and efficiency, and the objection he had to make to the present administration of the navy was that it allowed the naval power of the country to remain stationary. It was impossible to calculate the strength of the navy upon the principle that would have been correct some years since. In the days of wooden sailing vessels and of 32-pounders, when we had plenty of reserves, the man was rightly and naturally taken as the true unit of power; but since that time our naval force had undergone a rapid and violent transition, and we had now to look more to the power of the gun and to the strength of the vessel than to the number of men on board. If the men were not provided with the best guns and the most improved vessels, they would only be a source of needless expense. The ships which composed our foreign squadrons would have to "cut and run" in the event of war, and in time of peace they cost us large sums for repairing and maintaining them. What the Admiralty had to do was to produce naval power, and he did not think that the method they were now adopting, of building a vast number of small vessels which would be of no use in time of war, was likely to produce that power. There were two lines of policy, two alternatives—as it seemed to him—policies by which the result desired could be arrived at. In the first place, by spending an enormous sum to provide the navy with a vast number of the best modern iron-clad vessels on which to place the men who were asked for, we might obtain a navy of overwhelming power for a time, but in the course of a few years the whole work would have to be done over again. The other policy was that indicated by his hon. Friend (Mr. Childers) in his speech the other evening, which would necessitate every possible saving of men and ships on foreign stations in order to add to the number of fighting ships in our possession and under our immediate control. He must, however, point out that the details of that scheme were suggestive, not dogmatic. The noble Lord the Secretary told the House the other night that a Committee was to be appointed to inquire into the working of the dockyards; and he thought it would be of advantage to the service if the two gallant Admirals who had been named were empowered to inquire into the subject of the cost and use of our stationary and harbour ships, since he was certain that those vessels were a source of unnecessary expenditure, and not of real power. The noble Lord (Lord Henry Lennox) had told the House the other night that the Admiralty had given up repairing the large old-fashioned ships in consequence of their being so expensive to repair and man, and that they were building new vessels of a more manageable size, which would be infinitely more useful and more economical. To a certain extent such a policy would be a good one; but the question was whether it was wise to build 16,000 tons of such vessels besides the composite gunboats for China in the course of the next financial year. But, after all, the great question was whether the Admiralty were justified in asking the Committee for £500,000 for the purpose of building vessels. The noble Lord the Secretary for the Admiralty told them that the late Board had rather neglected the construction of iron-clad vessels.

Lord HENRY LENNOX: What I stated was that £128,000 had been put down in one year for iron-clads, but had not been spent on iron-clads in dockyards; and that in the following year no estimate at all had been proposed for iron-clads.

Mr. STANSFELD: That could be only with regard to dockyards.

Lord HENRY LENNOX: I said so.

Mr. STANSFELD said, that remark only applied to vessels that were to be built by contract, and not to those building in the Royal Dockyards. However, the view of the noble Lord was that it was necessary to do more in the coming year than had been done during the two previous years in the way of building iron-clads. He would take Vote 10, and of the additional £500,000, roughly speaking, £160,000 was for engines. He presumed that these engines were not all for iron-clad vessels. The balance of the £500,000, or £340,000, was intended for two iron-clads—one the sister ship to the *Inconstant*—and for ten composite gunboats designed for service in

China. But as iron-clads could be built but slowly, his belief was that of that £500,000 in the Controllers' section of Vote 10 not more than one-half, or £250,000, would really be devoted to the construction of iron-clad ships, or of the engines that were to be put into them. The £500,000 to be devoted to the strength of the navy was thus reduced to £250,000. Confining the question to the addition to the real fighting strength of the country, he could not admit that there would be much gain. He found that in the Estimates for 1866-7 the late Board of Admiralty proposed to advance the construction of the *Hercules* and the *Monarch* by what would be equivalent to 5,715 tons, and in the present Estimates he found that the *Hercules* and *Monarch* had only been advanced 2,752 tons, and the present Board had thus done less by one-half (2,963 tons) during the financial year just expired than the late Board had proposed to do in advancing the construction of these vessels. It was urged in explanation of this that there had been a failure in respect to the armour-plates, and that a caisson had been damaged; but that was not a sufficient reason to account for so very great a difference in the amount of progress made. It was a question of labour; and as much labour had not been given to those two vessels in the course of the financial year as had been intended, or as might have been done if that labour had not been diverted to the building probably, or to the repair, of other vessels, to which he attached smaller importance. From the Estimates of this year he found that they proposed to advance their iron-clads 4,195 tons; but they were already in arrear 2,963, and therefore, deducting that arrear, it only left the present Board credit for 1,232 tons of dockyard building of iron-clads. Taking, then, these facts and figures into account, he said that their £250,000 for the construction of iron ships dwindled down to nothing. Now, what was the practice in regard to the framing of the Navy Estimates? All the sub-departments were summoned to rack their brains in finding out work, and then, as a matter of policy, they sent in greater demands than were reasonable, or than were expected to be conceded, because they knew the docking process to which their demands would be subjected, and they wished to provide against it. Those various demands having been cut down still produced a total which could not be submitted to that House, and then the Estimates underwent a yet further docking to meet the views of the Chancellor of the Exchequer, and not to carry out any clear and definite naval policy. That was a most illogical system, and led to extravagance. The Government ought to set out with a notion of general policy and of total cost, and then it should sub-divide and appropriate that total under the different Votes, so as to purchase as much real power as possible, and keep down waste. He was not surprised at schemes of re-construction being brought before the Board of Admiralty. Men feeling themselves responsible for the efficiency, and not at all for the cost of the navy, naturally and logically brought such schemes before the Board. They saw that we had got so many men, and that we had not got fighting ships, and they asked if a serious war arose, what was to be done with our men and our ships. And how had they met the proposals made to them? They retained the men for whom they did not propose to build ships, they also retained the ships which could not fight, and then they professed to add to the strength of the navy by £500,000, though in reality this proposal amounted to next to nothing. His hon. Friend (Mr. Childers) and himself put forward their views as their contribution towards the solution of the question of naval policy, and they thought that their views at least deserved a fair consideration. What was the justification of a naval expenditure of £10,000,000 or £11,000,000? Could it be justified merely for the purposes of peace, and to maintain the police of the seas? No naval man, he believed, would pretend to vindicate it on such narrow and limited grounds. Their reason for incurring so vast an outlay was to provide for the possible contingency of a serious naval war. The object of their preparation, then, should surely be to give them immediate efficiency; for in modern warfare hard, rapid, and decisive blows were required to be struck. If they could imagine a naval war lasting beyond a few months there would be in that case practically no bounds to the resources of this country. No two countries in the world could put as many men on board ship as this country could, and the whole world combined could not surpass England in the power of manufacturing the most modern inventions of maritime warfare. The only justification for a large naval expenditure in time of peace, was that it should be so appropriated and expended as to give a maximum of immediate efficiency in time of war. The expenditure proposed by the Government could not in that view be justified. Were men an element of naval strength if we had not fighting ships into which to put them, or were these vessels of the noble Lord, which were to "cut and run" as soon as they were attacked—if, indeed, they could run—to be regarded as an element of strength? Ought it to be necessary to pay £500,000 more than last year, or ought they not to take the expenditure of last year as a maximum, and more or less gradually to reduce it? Let the House compare the naval power of England with that of America and France. The American *Monitors* were all iron-clads. Two had certainly crossed the ocean, but they were vessels for defence and not for offence. The number of seamen, officers, and marines after a gigantic war had been reduced to 17,000 men. France had seventeen sea-going iron-clads and ten others proposed and partly building. He purposely left out of the account the third class French iron-clads available for home defence. This country had twenty-six sea-going iron-clads, four turret-ships, four building, and three proposed this year to be built, making a total of thirty-seven. With such a force no one could doubt that, taking ship for ship, our vessels were immensely superior to those of the French navy. Naval science was still in a condition of violent and rapid transition, and the true policy of the Admiralty was not to lay down any great scheme of naval re-construction at the present moment, but to concentrate their strength upon one or two vessels and get them afloat as rapidly as possible, and by that means get work out of them before, by the march of invention and improvement, they fell behind the time. The lesson that modern warfare had taught ought to be borne in mind. It was this, that war was now so costly that nations would not go to war without the most powerful motive to do so. Italy had such a motive; so had Prussia. That country, after years of deliberate preparation, had gone to war to secure a united Germany. The United States went to war under the pressure of motives so overwhelming that it was almost impossible to conceive their recurrence. Considering our present policy of non-intervention, which was safe in the hands of the present Secretary for Foreign Affairs, it was unlikely that any nation would wantonly incur the danger and risk of a war with England. The present Chancellor of the Exchequer, at the end of last Session, addressed the House in explicit and almost solemn terms in favour of economy. He said it was the

> "Intention of the present Government in spirit and in truth to carry into effect that policy in respect to the expenditure of the country which we recommended to the late Government, when sitting on the Benches opposite."—[3 *Hansard*, clxxxiv. 1289.]

And the right hon. Gentleman assured the House that in the administration of the finances they would be guided by the principle of economy—

> "Not meaning by that negligence, inefficiency, and imperfection, but that prudence in the application of our resources which engages in nothing but what is necessary for the public welfare, but takes care to accomplish its purpose in the most complete manner."—[3 *Hansard*, clxxxiv. 1290.]

He knew no better or more complete definition of naval or other administrative economy than was contained in these words. The Resolution in favour of economy proposed by him in 1862, was called at the time an abstract Resolution, yet it was in its result a practical Resolution, for it led in the following year to a reduction of £2,000,000 in the present Estimates. The Resolution of the right hon. Gentleman, on the contrary, had led to a precisely opposite result, for there had been an increase of £2,000,000 in the present Estimates. No doubt, the Chancellor of the Exchequer still held the same opinion which he expressed at the end of last Session, and the Cabinet had probably resisted still greater demands than they had conceded. It was still open to the right hon. Gentleman and his Colleagues to make their influence felt, if not on the Estimates, at all events on the expenditure of the year. There were two Members of the Cabinet who, more than any others, could affect the expenditure—the Chancellor of the Exchequer and the Foreign Secretary. The former could no doubt persuade his Colleague to say to the Admiralty and to the War Office that the problems of the year must be worked out within the Estimates of the year; and the latter could form himself into a sub-committee with the First Lord of the Admiralty, and cause to be ordered home every ship which was not a fighting ship from foreign squadrons. A great saving could thus be effected—in the building of ships, in repairs, and in outfits. That might seem to be an arbitrary position; but it was not so in reality. The consequence would be to compel, as it were, the departments to go deeper down into the causes of expense, and into the true uses and real power of armaments, and in that way to economize the resources of the country without detracting from the real power of the country.

Colonel SYKES said, he was glad to see that the form of the Estimates had this year been improved as compared with those of former years. He alluded particularly to the new table, which gave a programme of the works being and about to be executed in the several dockyards. He would be glad to see a tabular form of the total number of persons employed by the Admiralty. It was to be found in the French Estimates, so that by a birds-eye view a knowledge of the total numbers employed in the navy, whether military or civil, was obtained. It was no doubt right upon the part of the British Government, when they found a Foreign Government doing so, to build a new class of ships, and not to go to sea with the old ones. They laid out their money, and so did the French, in iron-clads, and he would now state the condition of the French navy, and also that of the British; the result of the competition which has been going on. The information respecting the French navy is supplied by the "Ordinary Budget," the Extraordinary Budget, and the Report to the Legislative Chamber—all for 1867. The Secretary to the Admiralty had accurately stated, as regards number, that the French had 43 armour-plated vessels; but in the French Ordinary Budget he found only 10 vessels spoken of as sea-going, and only two of those were of the first-class. The largest ship in the French navy, the *Magenta*, had a displacement of 6,737 tons, while England had three ships of 10,000 tons displacement—namely, the *Minotaur*, *Agincourt*, and *Northumberland*. Of the 43 French vessels 14 of them were not sea-going at all, but were for rivers and lakes, and those were not likely to come in contact with the ships of this country. Then, instead of having 16 first-class vessels, as he had understood his noble Friend, the French had only 13. This was shown by a report made to the Emperor, entitled *Exposé de la situation de l'Empire*, and dated the 31st of December, 1866. He also found that the French had 340 vessels altogether, while we had 414. The French had 120 in commission, and the total number for which credit had been given in the Budget of this year up to the 1st of January, 1868, was 157. In 1862 the French had only 6 iron-clad vessels and 10 frigates building. One of them had been lost, and two were no longer effective, so that the number was reduced to 13; while the Return granted to Mr. Laird, dated August 10, 1866, showed that we had 30 iron-clads afloat, 4 first-class building, and 4 floating iron-clad batteries, so that no urgent need existed for our spending money on building ships to meet opponents who had not the means to oppose us. The French had been actually discontinuing the annual credits they had given for construction. In 1861-2 England had devoted £755,782 to construction, and £469,307 to armour-plating, which made a total of £1,225,089. In the same year the French spent a total of £660,000, or just one-half, for the same purposes. It would be found, too, that in every department of the navy, whether it regarded men, ships, or money, their expenditure was just one-half that of this country. In 1863-4 England spent £630,203 in construction, and £408,822 for armour-plates alone, giving a total of £1,039,025. The French expenditure that year, including everything necessary for the completion of their vessels, was only £560,000. In 1864-5, we required £448,452 for construction, and £346,619 for armour-plates, making a total of £795,071; the French £480,000; and in 1865-6 the total was £544,300, including only £17,600 for iron matters, so that there had, up to that time, been a gradual diminution. The French allowed for construction in 1865 and in 1866-7 only £420,000, so that the French had annually diminished their credit for construction from £660,000 in 1862-3, to £420,000 in 1866-7. In 1866-7, however, when we had unquestionably established our naval superiority over our neighbours, a reaction set in, the sum required for construction and armour-plates that year being £663,280, although the French had reduced their expenditure to £420,000; and in 1867-8 the amount was £860,559 for construction, and £310,360 for armour-plates, or a total of £1,170,919. What reason could be given for that increase of £448,000 last year, and of £491,000 this year? Why was it that while the French outlay was decreasing ours was increasing? Had this country gone back to the state of panic which existed in 1861? With regard to the men, we had in 1861-2, 59,000 seamen, including boys and the Coastguard, but not including the 18,000 Marines. In successive years the numbers declined to 58,050, 57,000 53,000, and 52,000, till in 1866-7 it was 51,450 ; but this year it was again rising, the number being 52,912. He could not see any reason for this. As for the French, they had in 1864-5 30,473 officers and men, against our 53,000, not including the Coastguard, and this year they had 27,589, while we had 52,912. I trust the above figures from official sources, French and English, will sufficiently dispose of the relative powers of the French and English navies. With regard to the cost of the effective service, there was an increase of £1,153,218 in 1859-60, the amount being £8,259,299, and this was £626,360 above the effective Estimates for 1858-9, and it went on increasing till 1862-3, in which the decrease for the effective service was £450,378. The total charge for the effective services in 1862-3 was £10,228,029; for 1863-4, decrease, £1,139,773. In 1864-5, decrease, £357,502. In 1865-6 the decrease was £348,567. In 1866-7 there was a nominal decrease in the effective services of £105,633, which unhappily turned out to be wrong. In 1867-8 the deficit in the effective charge is £480,360. He could not understand why the reduction should have been interrupted during the last two years. Our Estimates for 1866-7 was £10,388,153, whereas the French credits were only £5,802,059, or but little more than half; and for 1867-8 their expenditure was £5,926,253, being an increase of £33,083, while ours was £10,926,253, being an increase of £491,518. He thought that as the Admiralty had succeeded in effecting a reduction for several years, that reduction might be continued, especially as we were not in danger of being attacked by any other navy, whether European or American. He wished, also, to know why the expenditure for 1863-4, which was estimated at £10,462,322, was stated the following year to have been £10,472,298 ; and why that for 1864-5, which was estimated at £10,169,022, was afterwards corrected, first to £10,507,792, and subsequently to £10,483,678. For 1865-6 there had also been three different statements, the first being £10,152,905, the second £10,234,633, and the third £10,071,805; and for 1866-7 there had already been two, and there would probably next year be another, so that Parliament did not know the actual expenditure of any year until the lapse of three years. In fact, all the figures I have given from the Estimates are little better than approximations subject to a variety of subsequent corrections, probably owing to the looseness of the Estimates. One instance of reckless cost in this department was to be found in the large number of gunboats we had in the China seas, which was stated by the noble Lord to be 30, though a late distributive return he had just received from China, dated on the 1st of February, made the fleet to consist of 44 vessels, eight of them being hospital and store ships, or without captains. But taking the noble Lord's number as a correct statement of our naval force in those waters, what on earth, he asked, could be the use of 36 gunboats on the China station? A single gunboat was able to destroy a fleet of pirate junks ; and though the enemy's boats had from 12 to 14 heavy guns on board, they could be run into and set on fire by one of our gunboats with the greatest ease, and of this there were many instances. Why, then, were 36 required, or why should there be 12 lying in Hong Kong Harbour, and spending the taxes of the country and rendering no service, except sallying out when there was an intimation of pirates ? Why were we to be the protectors of the whole world in that part ? Why were we to be made the maritime police, as it were, in the Chinese seas ? France, America, and other countries were carrying on an increasing trade with China, and ought to bear a share in the maritime police. Under any circumstances, six, or at most ten, gunboats would be sufficient for the purpose of protecting our trade, and there was in reality no excuse for employing more. On these grounds he trusted that the present Admiralty would follow the good example set by their predecessors for four years, and reduce these Estimates, thus taking one step towards the reduction of the national taxation, which, in conjunction with the municipal taxes, was crushing the taxpayers of the country.

Mr. GRAVES regretted that the debate had taken so wide a range as it had done, though perhaps it was unavoidable. Still, he could not help thinking that to mix up questions of great national policy with points of minute detail, as had been done in the present instance, was only to prejudice both. There was no man on whose judgment he placed greater reliance than the hon. Member who opened the debate, and there were some points to which he adverted in which he (Mr. Graves) heartily concurred, especially in thinking that the time had come when our ships of war should cease to carry specie, and also in thinking that the number of boys entered for the navy should be increased. He believed that the number of boys entered on the Estimate of this year was wholly inadequate to supply the annual waste in the navy; and he adhered to the statement he made last year, that it would require yearly 1,500 more boys than were entered to replace the loss of men in the service. He might here state a fact which had recently come to his knowledge, that, notwithstanding every effort at our home ports to obtain seamen, only 150 had been engaged during the past eight months, and the present number was 500 short of the number voted. But the great question was our policy in connection with the employment of our squadrons on foreign stations. He wished to deal with that question, not only as it affected the maintenance of national interests, but also as it affected the protection of our commerce, a view which he thought had been somewhat overlooked by the hon. Gentleman (Mr. Stansfeld), who laid the weight of his arguments on the foreign policy of this country. With regard to our ships in the China seas, the utility of which had been questioned by the hon. Member for Aberdeen, the reason why they were required was that we had more to guard there than all other nations put together; we had in the Chinese seas a trade direct and indirect, amounting to not less than £40,000,000 per annum, carried on under treaties which are best respected when backed by British gunboats. It was notorious that those seas were still infested by pirates. Indeed, notwithstanding the presence of our squadron twenty-five merchant ships were attacked by pirates last year, so that piracy had not been suppressed. No one will for a moment suppose our naval officers are wanting in zeal or energy or that the existence of piracy can be attributed to them. Possibly our ships were too slow for the purpose of pursuit, and it was with a view of supplying faster vessels that the construction of so many gunboats was now proposed. He found by a Return moved for last year that seventy-one pirate junks were destroyed and 220 men captured and handed over to the Chinese authorities. So long, therefore, as piracy existed we must maintain a force there for the protection of a commerce—which, great as it is, is yet but in its infancy. He admitted, however, that other nations ought to co-operate with us in that service, ten of the vessels which had been captured last year belonged to foreigners, and it was reasonable they should assist; but instead of withdrawing our squadron we ought first to induce other Powers to enter into an arrangement, and then consider to what extent we could reduce our force. As to Japan, where a reduction had also been proposed, it was well-known that we were forcing a trade, there being large inland seas in which our commerce required protection; and until we were on terms of greater amity with that country, we were more likely to command respect by maintaining a good force at that station. A few years since and England had no trade with Japan, it now amounts to millions and with promise of a brilliant opening for British enterprize. He thought we might make a considerable reduction on our African station by sending out suitable vessels of greater speed. The vessels which were on that station were not of that character, they were most unsuitable. In reference to that point he should observe that he felt much surprise at the sending out of the *Bristol* to the African coast, for she was much too large and unmanagable a vessel to be fit for such a service. The natives on the coast were becoming attached to regular trade, and, as that feeling spread, there would not be the same occasion as had formerly existed for a large squadron there. With respect to the Mediterranean and the North-American stations, he believed that the amount of the force we should maintain at either of them must depend mainly on the state of the political horison; and that was a point with which it would be impossible for the Committee to deal. As to our station on the coast of South America, he thought that as long as the Republics on that coast made war their normal condition, our commercial interests would require a good force in that direction. On the Pacific station, from Valparaiso to Vancouver's Island, we had sixteen ships and 3,800 men. Comparing our squadron with the American squadron on that coast—and he did not think we should have our squadron there much below that of any other country—he found that the Americans had twenty-eight ships and very nearly the same number of men, but comprising an armament greatly superior to ours, as recent events at Valparaiso sufficiently showed. Our vessels were divided into two squadrons, North and South, the Admiral's head-quarters being Vancouver's Island, a commodore having charge of the South Pacific. Now, he thought it would be better for all purposes that this arrangement should be reversed, and that the Admiral should be where our interests demanded his constant presence. On the whole, he thought that our foreign squadrons were not larger than the interests of our commerce demanded; but putting aside the commercial point, he believed the interests of the navy required that we should keep up our foreign squadrons. It appeared to him that the only redeeming feature of our naval expenditure was our foreign squadrons. The magnificent discipline which was enforced on those stations served more than anything else to keep up the *morale* of the navy and the efficiency of the ships. Those stations were schools for our officers and seamen, and what should we do with our 6,000 or 7,000 boys if it were not for the means which the ships in the foreign squadrons afforded for their employment and instruction? Was it by serving in iron-clads, lying rusting in our home ports, that we could hope to make blue jackets of these boys—he thought not—if it be a matter of economy he ventured to think it might be secured better at home than abroad. While he had great reliance on the judgment of his hon. Friend the Member for Pontefract, yet, as the opinions put before the House were so conflicting, he should like to know whether the plan proposed by his hon. Friend had been introduced with the approval of men of experience in the navy. The noble Lord the late Secretary for the Navy (Lord Clarence Paget) was a naval officer of great experience, and always anxious for economy where a saving could be judiciously effected; yet what had he said when moving the Navy Estimates last year?—

> "And now, Sir, with regard to the Vote for the *personnel* of the navy. We take this year, as I will presently show, a somewhat smaller force of men, and consequently our Vote for the *personnel* of the navy will be less during the year 1866-7, than it was during the present year. And here, again, I want to call the particular attention of the Committee to what our prospects are in future years. Now, it is all very well to talk of reducing the naval expenditure, but the fact is, that I cannot hold out any hopes of a reduction in that which principally governs the expenditure of the navy—the number of seamen of the fleet. We have carried on during the last two years a gradual reduction of our seamen to what has come to be a very considerable diminution; but if we are to make the naval force which we have afloat adequate to the demands upon it, that reduction cannot go on. I have a paper here which, if hon. Gentlemen wish me to quote from, will show that, so far from there being a prospect of further diminution of our fleet, we are pressed from all quarters of the Globe for additional assistance. We are pressed from China. We are told that the seas there are infested with pirates, and large demands are made upon us for additional forces. In Japan they tell us that, in order to carry out the treaties which have been made with the Tycoon, we must be prepared to have a large force in the inland sea. In the River Plate, Chile, Peru, the presence of ships is asked for, and let it be remembered that most of all these demands come at the desire of our merchants. In short, such are the calls upon the Admiralty that I confess I should be deceiving the Committee if I were to hold out a prospect of any further reduction in the number of men."—[3 *Hansard*, clxxxi. 1144.]

That opinion had recently been confirmed by the distinguished nobleman who had so long presided over the Admiralty. In a pamphlet which, though it did not bear his Grace's name, was known to have been written by the Duke of Somerset, he stated

> "That the efficiency of the navy depended on the number of men, and those who insisted on the efficiency of the navy would not be willing to reduce the number of men."

Now, on examining into the reductions which have taken place of late years, he found that in 1860 the number of ships was 178, and the number of seamen, boys, and marines 35,000. In 1866, the number of ships was 146, and that of the seamen, boys, and marines 26,000; being a decrease of thirty-two ships and 9,000 men. It was now proposed to reduce the men by 7,200 more, which, with the previous reduction of 9,000, would make the reduction in eight years amount to 50 per cent; while during the same time our trade had increased 20 per cent. [Mr. CHILDERS said, he had not proposed such a reduction as his hon. Friend stated.] He would not do his hon. Friend any injustice. It was proposed that we should reduce the number of our seamen by some 7,000 men, and that we should substitute a flying squadron at Lisbon which would add 4,000 men. He (Mr. Graves) could conceive of nothing more valuable or useful than such a squadron in a national point of view, and he would rejoice to see such an addition; but it would not be valuable for the protection of our commerce, which required vessels to be on the spot where our trade was carried on.

The hon. Member had alluded to the progress which had been made in improving and extending the electric telegraph, and argued that the institution of a flying squadron would be useful because orders could be flashed to them ordering them to repair instantly to particular parts of the Globe where British interests were at stake. He (Mr. Graves) thought, however, that a very different conclusion could be deduced from the present efficiency of our telegraph system, and that in fact the argument of the hon. Member for Pontefract could be brought to bear against the value of a flying squadron. If, for instance, any complication were suddenly to arise abroad, our diplomatic agents would telegraph to the Foreign Office, who in return would send back instructions by the same medium, for diplomatic communications must in future rely on the telegraph rather than the special messenger. When these instructions arrived it was of the utmost moment that we should have the means of enforcing whatever might be our demands, and for this reason it was essential to have vessels near at hand, rather than appearing on the scene of action some three months after the necessity had passed away. Looked at in this light, the telegraph was rather an argument for carrying out our present system than abolishing it and establishing a flying squadron, simply as a substitute. In the absence of the reasons for which the recommendation was made, he must decline to adopt it; he was inclined to think that, until a higher code of International Law was accepted by European nations, under which private property would be exempted from capture at sea, we ought to keep up efficient fleets for the protection of our commerce and the maintenance of England's honour. He now came to what might be termed the domestic administration of the navy, and here he wished to express his admiration of the lucid speech with which the noble Lord the Secretary to the Admiralty had introduced the Estimates. No part of that statement was received with more satisfaction than the announcement of the disposal of useless vessels; but he was somewhat surprised that those vessels, with a tonnage of 30,000, had realized only £85,000. Why could not one or two of our condemned docks have been used for the purpose of breaking them up, and if they could have been broken up there instead of by private individuals, why were the profits realized by private individuals to be lost to the public Exchequer? It could not be that the cost of breaking up was more in the public than in private yards, for if so, a large and awkward question arose. The thirteen vessels in question realized £85,000, or an average of about £6,700 each, and he had made some calculations to show what amount they would have produced if they had been broken up in Her Majesty's Dockyards. The figures he was about to read to the House were rather under than above the mark, and on this point he challenged contradiction. The copper and other metal from each of these vessels would fetch £7,500; the machinery and boilers, £2,500; and other materials and stores on board, £2,000. That would give a total of nearly £12,000. From that sum, however, he would deduct 9*s.* per ton for the labour of breaking up, 5 per cent for auction fees, and the cost of the coal consumed in towing the vessels to Devonport or the Thames dockyards, amounting altogether to £2,000. Thus each vessel would realize £10,000 net, and the whole number £130,000; whereas only £85,000 had been actually realized by the Admiralty. He could not learn that these vessels were disposed of by public advertisement, or that there were more than two or three tenders invited, he would be curious to see the conditions of sale and the quantity of stores included; he believed that his Estimates were greatly below the truth, and that it would be found a very large sum had been sacrificed by the anxiety to get the credits for the Estimates. On the subject of the constructive portion of our naval administration, he was compelled to speak adversely, though he did so in no narrow and carping spirit. He must confess, looking at our enormous expenditure, we were further off than we had a right to expect from obtaining a swift, handy, and sea-going iron-clad; he would not go back over old ground, he would merely take the results of the last twelve months. And first, with regard to the three ships of the *Vixen* class, which were the lowest in the scale, being about 800 tons—it was found that on the trial trip of the *Vixen* off the Land's End, she met with bad weather and was forced to bear up. On return to port the ship's company memorialized the Admiralty, asking that they might be removed from that vessel, as she was entirely unseaworthy, and he understood that their request was granted, that the *Vixen* was put out of commission, and that she was now lying with her sister ships as they were launched, perfect useless. Then, again, with respect to the *Amazon* class, which he had ventured last Session to predict would be unsuitable for the service for which they were designed. As soon as the present Board of Admiralty came into office he understood an order was issued that the two vessels of that class, then uncommenced, should be altered, and their length increased twenty-five feet or thirty feet, the same as the *Danæ*. Accordingly, these vessels, he understood, had been altered from the original design, and it is fair to infer that the other five would also have been improved if the proposed alteration had not amounted to a total re-construction. What good these vessels in their improved shape were to do he could not say; but the facts he had mentioned showed that there was an absence of any settled system of design for our ships-of-war. With regard to the armour-plated vessels, the most important class of all, he regretted that the Returns moved for by the hon. Member for Birkenhead and by himself, and which had been that evening laid upon the table, were not yet in the hands of Members. From the information, however, which he had received, he believed it would be found that the trials of vessels last autumn showed a deficiency and inequality in speed, a great want of fuel-carrying space, a large consumption of fuel, and, worse than all, an unsteadiness at sea, which rendered them almost useless for offensive or defensive puposes, in anything beyond a moderate breeze. The *Bellerophon* and *Lord Clyde*, our newest vessels, in an Atlantic swell, with the wind at the force of 6 or 7, rolled through an arc of 34 degrees; what they would do in a gale of wind he would leave hon. Members to draw their own conclusions. He believed they would tear themselves to pieces; and that they would be practically unseaworthy. Besides, such a roll exposed the most vulnerable part of the ship to attack, to the smallest vessel which could fight with a steady platform. In the same breeze the *Achilles* rolled only through an arc of 16 degrees, and, as he was informed, shot away her target, while the other vessels dared not open their ports nor loosen their guns. Comparing the tonnage, horse-power, and speed of the *Achilles* (6,121 tons, 5,724 horse-power), and the *Bellerophon* (4,270 tons, 6,048 horse-power), and yet the *Achilles* steams away from the *Bellerophon*, he asked, when a vessel was proved to be eminently successful and to go faster through the water with 50 per cent greater tonnage than another of the same horse-power, why we could not reduce the model and apply it, instead of retaining the inferior model, or be continuously indulging in these unsuccessful experiments? He would next pass on to what he considered to be the greatest blot of all upon the efficiency of their ships, and that was the enormous consumption of fuel. Scarcely any of our newest vessels could carry five days' full steaming fuel. The *Bellerophon* did not carry four days' fuel, and he would ask how a vessel could be considered sea-going which depended so much upon steam, but which could carry only 3½ or 4 days' fuel on board? And yet this ship cannot be trusted under canvas, for she will not come round in stays. Last year he ventured to call attention to scientific and mechanical appliances, which he showed had answered admirably in economizing the consumption of fuel in the mercantile navy. The firm he then referred to had during last year launched several vessels—indeed, he might say one in every eighteen working days. On the 25th of July last they wrote to the Admiralty—

> "As patentees of the double-cylinder engines we are not entirely unknown to my Lords, having, in the year 1860, received an order for a set of these engines for Her Majesty's ship *Constance*, and though we can confidently point to the results, both in economy of fuel and the speed obtained by that ship on her trials, we laboured under great disadvantages owing to her peculiar sectional form obliging us to put in two medium-sized cylinders in place of one larger one, thus adding to the weight and space occupied. Since then, our greater experience in the working of these engines has enabled us to make important improvements, and we are now prepared to make our engines and boilers to occupy less space and equal weight with those of any other builders, while in fuel we venture to assert that they effect a saving of 33 per cent at full speed, graduating to 20 per cent at half speed, or, in other words, we will undertake to steam at full speed with a given quantity of coal at least one-half further than the single cylinder engines of the most approved principle are capable of doing."

Up to this time no notice had been taken of that offer. He was glad that the Admiralty intended to build such a ship as the *Inconstant;* and, seeing that America had already turned out six such vessels, not armour-clad but possessing great speed, he hoped that the advantages of speed combined with economy of fuel would be considered, and that it would be made a *sine quâ non* in the contracts that tenders should state the number of miles the engines would run upon a given quantity of fuel. He questioned the economy and judiciousness of putting old engines into the new gunboats for India and China, inasmuch as new engines would drive at the same speed with half the consumption of coal, which was £4 a ton in China, so that new machinery would be the cheapest in the long run—new boilers would be required — the engines alone could be utilized—and in his opinion it would be wiser to break them up for old iron rather than injure the efficiency of this new class of vessel. The consumption of the two-high-pressure engines was not less than 1,200 cwt. per hour for each vessel, whilst engines of the newest construction could accomplish the same speed at half that consumption of fuel; and, considering that coals cost £4 per ton in China, the economy must be self-evident, and would in a very short time pay for the new engines. It was difficult to reconcile this adherence to old machinery with the fact that engines of 800 horse-power, ordered three or four years ago from an eminent Glasgow firm, at a cost of £40,000, had never left their premises, and had recently been re-sold by the Admiralty to the makers for £12,000. Could it be that, notwithstanding that engines of this class had been wanted, such great improvements had been made since they were ordered that it was considered desirable to sacrifice £28,000 rather than use these engines? Whatever the cause may have been, the circumstance was most unaccountable to him, and he hoped would be explained. What he found fault with was the system; and he implored the right hon. Gentleman now at the head of the Admiralty to take up this question with a full determination, if possible, to wipe away this stain from our national character for administration.

Mr. SEELY said, he wished to make a few observations upon the mode in which the navy accounts were presented to that House. Business men expected to find in accounts not merely what money was received, but what was got for that money. In these Estimates the Admiralty asked for upwards of £10,000,000. In showing the application of this money they were tolerably clear with regard to officers and seamen, and very precise as to the amount required for the provisions of the seamen. But no precise information was given as to the amount of money required for building and repairing ships, this amount being scattered through several Votes. It might be said that Vote 6, which was the Vote for the salaries and wages of men in the dockyards, was for shipbuilding purposes; but he questioned whether the whole of the Vote ought to be so appropriated. That Vote included a sum, for instance, for the admiral-superintendent at Malta, of £1,930, including his sea pay: for the flag-lieutenant, £219, and for the domestics of the admiral-superintendent £353. But the commander-in-chief at Malta required a house, and that was entered in this Vote as £140 a year. What, he asked, had the commander-in-chief's house to do with shipbuilding? In fact, many items were charged to shipbuilding that should be omitted, and many omitted that should be charged. At Malta 298 men were employed in the dockyard; but the cost for supervision, including the pay of the admiral and flag-lieutenants, was more than 100 per cent on the wages of the men, all of which he believed was charged to ships. To ascertain the cost of any ship with any accuracy, one had first to go through the Navy Estimates, which gave details not elsewhere found—then the navy statement of savings and deficiencies, which showed the amount expended in comparison with the money voted; thirdly, the manufacturing accounts, which gave the cost of the articles made for shipbuilding, as well as the rate book value thereof, at which latter sum all articles were charged to ships; and lastly, the navy ships' accounts. Great alterations appeared in the mode of presenting the navy ships' account. Up to 1861 they had simply the wages and materials used in and upon the ship included in the cost of the ships; from 1861 to 1863-4, the wages and materials used outside the ships, but incidental to shipbuilding, were added. This increased cost about 20 per cent; and in 1864-5, wages to foremen and other items were charged, so that something like 40 per cent was added to the cost of wages and materials, or to the cost of ships as given up to 1861. Taking these variations into account, the Committee would perceive how difficult it was for any one to ascertain what the actual cost of a ship was. The process of going through all these accounts, adding items omitted, he had to pursue with respect to the *Frederick William* (about whose cost he and Sir John Pakington differed), which had been several years in building; and in order to know what this ship cost it was necessary to refer to successive Estimates, to receipts and expenditure, and to the navy ships' accounts, and to the manufacturing accounts, in order to see the difference between the actual cost of materials put in a ship and the rate book price of the said materials, at which latter sum materials were charged to the ships. For instance, in 1863-4 the articles made, cost no less than £92,374 over and above the rate book price, and this ought to be added to the cost of ships. As a particular example of this method, and to show to what errors it might lead, three 15-inch topsail yards were charged to the ships at the rate book price of £150, but they cost £430. No wonder, then, that different parties should estimate the cost of ships, &c., variously with such data before them. A remarkable instance to elucidate this might be quoted from a pamphlet supposed to have been written by the noble Duke who a short time ago was at the head of the Admiralty. The pamphlet stated that about £10,000,000 had been required by the Admiralty for shipbuilding in the course of six years. The noble Duke must have calculated only the wages and materials used *in* the ships themselves —not even all the materials and wages used *for* shipbuilding, which in the years he spoke of amounted to (or the ships built reckoned as the Admiralty reckoned up to 1860-1) £10,036,626; but if he had calculated the cost of ships as the Admiralty calculated them in 1861-2 to 1863-4—that is, taking all the wages and materials used in and about or incidental to shipbuilding—the amount would have swelled to £12,259,569; and if he had calculated them as ships were calculated in 1864-5 by the Admiralty, when wages of foremen and other items were for the first time added, they would have swelled to £14,172,609. The effect of this would be that a ship might be calculated to cost on one set of data—that is, as ships were calculated up to 1861—£100,000; while calculated on another set of data—as calculated from 1861 to 1863-4—£120,000; and if as in 1864-5, the amount might be put at £140,000. It was of the utmost importance, therefore, that they should have clear and precise accounts, showing the amount received and the amount expended for shipbuilding purposes. The accounts should be made out, not as now, by lumping a great part of the expenditure for all dockyards in the gross, and charging to ships *pro ratâ*, but for each dockyard separately. The House should have, as it had been promised, an account of the stock of stores at the beginning of the year; the amount of money received for shipbuilding purposes during the year; the amount of work done during the year; and the quantity of stock left on hand at the close of each year for each dockyard, as well as for the whole of the dockyards. With regard to the charge to ships for incidental expenses, it had been said by the noble Duke lately at the head of the Admiralty that it would be necessary to re-consider how many of the incidental expenses should be continued to be charged in the cost of ships. That might be a very necessary question; but he urged upon the House that if they did not charge the incidental expenses to the cost of ships they would, nevertheless, have to pay them. The pensions paid to artificers ought to be included in the cost of ships, and next year he was glad to say they would be. Again, the charge added by the Admiralty to ships for interest on plant, stock, &c., amounting in 1864-5 to £46,398, was so small, so much below what the correct charge should be, as to be neither more nor less than ridiculous. With regard to the manufacture of ropes, on the question of hand spinning as compared with spinning by machinery, it would be found that in some cases there was little or no difference between the cost of the two; and although the erection of machinery for machine spinning had been strongly recommended, he hoped the Board of Admiralty would not, without inquiry, blindly rush away with the idea that it was cheaper in all cases to employ machinery than hand labour. He understood that the Admiralty were now putting up extensive machinery at Devonport, at a cost of from £20,000 to £23,000, for spinning ropes; and if he was not misinformed, that might be altogether obviated by a small expenditure at the Chatham ropery, which would enable the Government to produce all the ropes required for the navy there. It would surely be much cheaper to manufacture all the ropes required at one place instead of distributing the manufacture to several dockyards. It had been urged by the Duke of Somerset and the right hon. Baronet (Sir John Pakington) that it was impossible to build ships so cheaply at the Royal as at private dockyards; but he very much questioned that conclusion. The Royal Dockyards were certainly placed at one disadvantage, inasmuch as the managers of the Royal Dockyards had not the pecuniary interest in good management which was felt by the managers of private yards. But he believed it was possible to get over the difficulty to some extent, and to give the managers of Royal Dockyards some interest in the economical production of ships, and if that could be done the Royal Dockyards would have several advantages over private yards. The Royal yards possessed unlimited credit, and were never compelled, like private contractors, to go to the worst market and to force sales. They had no necessity to employ travellers or to seek by other means to obtain orders; they only paid 3 per cent interest instead of 5 per cent on money obtained, and they had no profit to make, while private contractors would not be satisfied with less than 10 per cent clear of interest. If the managers of the Royal Dockyards were well paid, and were treated fairly and liberally, there would be numbers of men anxious to be employed in those yards in preference to any private yards. The true principle was to pay men liberally, and to give honour where honour was due; but so long as the present wretched and bad system of putting men at the head of establishments when they knew nothing about the work to be done, was continued, so long they might depend upon it they would have extravagance and inefficiency. The evils of the present system were shown by its results. Some reference had been made to the excess of timber in the Royal Dockyards; but he did not agree with the hon. Member for Pontefract (Mr. Childers) that the House itself was more to blame on that point than the late Government. The late Government forced the purchase of the various lots of timber upon the House. During the ten years from 1833 to 1842, £2,274,708 was spent for timber, or £227,470 per year; during the ten years from 1842 to 1852, £3,609,152, or £360,915 per year, was spent for the same purpose; and during the ten years from 1852 to 1862, £5,209,757, or £520,975 per year, was spent on the same account. In the three years from 1859 to 1862, when the *Warrior* was laid down and iron ships were brought forward, the yearly average cost of timber had reached the enormous sum of £795,783; and twice during these three years, first, on the 23rd May, 1861, Mr. Lindsay moved to reduce the Vote for timber by £300,000; and secondly, on the 27th February, 1862, by £100,000, and divided the House on both occasions and was defeated, almost solely by the votes of Members of the Government. The Votes also granted by the House since (from 1862 to 1865) for timber had been exceeded by the expenditure by £275,000. Under a proper system of management this vast accumulation of timber, a great portion of which had now to be sold at a considerable sacrifice, could not have taken place. In the item, anchors and cables, he found the same increasing expenditure. In the ten years from 1833 to 1842 the amount spent under that head averaged, anchors £1,355, and cables £11,680 per year; in the ten years from 1842 to 1852 it had reached, anchors £16,948, cables £16,860 per year; and in the ten years from 1852 to 1862 it was at the rate of anchors £16,586, cables £33,714 per year. The fault was that they went on spending money for things that they did not want, and for what purpose nobody could tell. He wished to refer to one point connected with the iron ballast. He had asked the noble Lord if he could give the Returns of the iron ballast, stating the quantity in the United Kingdom and abroad. It was stated that there was no ballast in the country beyond what was included in the Returns printed on his Motion. In speaking of this, he must in justice say that he believed that there was no one more inclined than the noble Lord the Secretary for the Admiralty to make the best of that iron ballast, for he had no prejudices, he had given no opinion, and was anxious to make the most he could of the stock. If he (Mr. Seely) was correctly informed, there were at Devonport and Keyham 3,000 or 4,000 tons of these "pigs" which were not included in the Returns to that House; and he was further told that when the Great Eastern was launched some hundreds of tons were lent to the Great Ship Company, which he was told had not yet all been returned to the Admiralty. He was told that part of this was returned, but that a message had been sent that the Admiralty did not want more of such stuff; and he believed that a good deal had not been fished up from the river, and he was not sure whether a portion of this might not yet be found in the Millwall Yard. If this were the fact, it showed how loose must be the manner in which the Admiralty kept their accounts, and he wished to impress upon them the necessity of having precise accounts of what became of the stock, of the work done, and of the money received. He would call the attention of the Committee to the increasing, and he thought unnecessary expenditure connected with medical superintendence. At Sheerness Dockyard there was a staff-surgeon at £500 per year, and close to, lay the *Formidable*, flag-ship, which had on board altogether five surgeons. But, besides this, there was a guard ship, the *Cumberland*, close to, on board of which there were four surgeons; that was altogether nine surgeons on shipboard, whose pay was £2,813, and one in the dockyard at £500 per year. How did it happen that some of these surgeons on ships could not attend to men in the dockyard? Deptford had a staff-surgeon, with a salary of £450 for the shipbuilding department, and another at £450, with a dispensary assistant at £100 per year for the victualling and transport department (and every staff-surgeon had a house in the dockyard). At Woolwich there was a staff-surgeon having £500 a year, and house-rent £75; there was likewise an assistant-surgeon of H.M.S. *Fisgard* at £40, and close by there was a marine infirmary, with a medical inspector and assistant-surgeons. The total salaries of these latter gentlemen with allowances amounted this year to £1,310; last year they were £1,130, and the year before only £1,000; and during this increase of salaries the wages of matrons, nurses, and other inferior servants, and clothing for nurses, had decreased as follows:—in 1864-5 the amount was £2,251; in 1865-6, £2,054; in 1866-7, £2,003; in 1867-8, £1,903; so that from this it would appear that there was less work to be done in 1867-8 than in former years. At the same dockyard there was a commodore superintendent, who was to have £1,250 this year, whereas last year he had £1,000. He hoped to have an explanation of the cause of this advance. In this Marine Infantry Hospital, the Deputy Inspector General of the hospital was put down to receive upwards of £600 this year, whereas it was £570 last year, and £511 in the previous year; the two assistant-surgeons were to receive £456 this year, whereas two years ago it was £419, and the allowances this year were £215, last year £141, and the year preceding £70. He wished to be informed of the reason of such increase, which, in respect of the allowances, had increased threefold in two years. If expenses went on increasing at this rate they would soon be something enormous. He wished to know why, when there was an infirmary close to the dockyard gates, its advantages should not be utilized. There was a Mr. Hay, a chemist, who was receiving £400 a year at Portsmouth, and there was also a Mr. Hay who had invented a process for coating ship with a particular preparation. If, as he (Mr. Seely) had been informed, the same gentleman appeared in both characters, he protested against the principle of a gentleman appearing in a capacity where he had an interest in selling his own articles. At Portsmouth Dockyard there was a surgeon and assistant-surgeon, having together £800 per year. Close to was Forton Hospital. The medical expenses had increased at Forton for the Royal Marines from £918 two years ago to £1,178 this year, the wages of matrons, nurses, servants, and clothes for nurses remaining the same, and being only £47, the patients being about fifteen in number, although there was an infirmary for marine artillery at Fort Cumberland, which was within a short distance. At Haslar, which was within a mile of Forton, he found a similar increase in the medical staff. The expense this year for Haslar was £4,957; two years ago it was only £3,956. At Fort Cumberland the medical salaries had increased from £798 in 1865-6 to £1,197 in 1867-8, the wages of matrons, nurses, and clothes for nurses, remaining the same—namely, £251. Close to Portsmouth Dockyard was the flag-ship *Victory*, and the guardship of reserve *Asia*—nine surgeons being on the books of these ships at a total salary of £3,156. Surely some explanation of these items of increase ought to be given, and this vast amount of medical superintendence could not be required at and near Portsmouth. There was a similar increase of expenditure at Devonport, Chatham, and at Plymouth. At Malta the charge for the medical establishment had advanced from £1,257, which it was two years ago, to £1,682. The charge for gas and water at all the dockyards was continually increasing. The hon. Member for Pontefract had put before the House a plan for diminishing the number of our seamen and still maintaining our fleet in a state of efficiency. One branch of the service might be dispensed with altogether, and that was the Coastguard afloat, numbering 2,950 men. The total Vote for pay and provisions for these men this year was £184,528, and the Vote for civil superintendence, &c., amounted to £40,000, so that £224,528 per year might be saved without really affecting the efficiency of the navy, for he understood that these ships were of no use whatever, either for the prevention of smuggling or as training ships. There was also a large expenditure upon the training ships, which he was told were of very little value, as they were rarely fully manned, and their anchors were seldom weighed. Then with regard to Greenwich Hospital, the accounts showed a constant increase, the charge for medical officers and allowances to them this year being £3,280 against £1,869 last year. It appeared to him that in all these matters, to which the public had not paid much attention, there had been a continual and gradual increase, and it was principally in these small items of hundreds that the public money was squandered away.

Mr. SHAW-LEFEVRE suggested that the discussion with regard to the dockyard management and the Admiralty organization might be postponed until the system of re-organization promised by the right hon. Gentleman opposite was before the House. Before he adverted to the subject introduced by the hon. Member for Pontefract, he would first say a few words on the explanation given by the right hon. Baronet the Member for Droitwich with respect to the state in which he found the navy when he entered office. He regretted that the right hon. Baronet did not make that explanation a little earlier. A misapprehension had been allowed to exist for several months; for it now appeared that the right hon. Baronet did not refer to the general state of the navy, but to small vessels only. The hon. Member for Pontefract had referred to the foreign squadrons, and upon examination it would be found that the increase in the Estimates of the present year was mainly due to the small class of vessels which the Board of Admiralty proposed to build. It was intended to build thirty-three of these vessels, and the cost of them could not be less than £700,000. He suggested that the building of some of those vessels should be postponed, so that a portion of the expense might be thrown on another year. The right hon. Gentleman opposite had referred to the number of vessels broken up and sold during the last six years; but he did not state the number that had been built within the same period. Now, it appeared by a Return he had from 1860 up to last August, when the present Board of Admiralty came into office, 162 vessels had been broken up or sold out of the navy, and 140 were added. Of those removed there were 45 paddle-wheel steamers, 87 gunboats and gunvessels, 11 sloops and corvettes, 11 line-of-battle ships and frigates. Of those added there were 14 paddle steamers, 28 gunboats, 24 sloops and corvettes, 19 frigates, 15 line-of-battle ships, and 30 iron-clads. This showed a decrease of 52 gunboats and 31 paddle steamers, and an increase of 34 sloops, corvettes, and frigates, and 30 iron-clads. The real efficiency of the navy was therefore very greatly increased. At the same time, he admitted that there had been a falling off in the number of gunboats. He found that we had altogether 122 vessels under 1,000 tons in commission, which were well described by the noble Lord as "cut and run" vessels. Of these, 102 were screw steamers, and 20 paddle steamers; 16 were on the North-American station, 29 in China, 9 in the Mediterranean, 7 in the East Indies and at the Cape, 7 on the South East Coast of America, 16 on the West Coast of Africa, 7 in the Pacific—91 out of 122 being on foreign stations. If, as his hon. Friend the Member for Pontefract had argued, it was possible to diminish the force of our foreign squadrons, there would be the less necessity for increasing the number of this class of vessels. Upon the question of the policy of maintaining these squadrons he did not mean at that late hour to follow his hon. Friend; but he would venture to say one or two words with reference to two of these squadrons—that in North America and the China squadron. The North-American squadron had been increased from 14 vessels in 1862 to 41 in 1864, during the Civil War in America; it had now been reduced to 29 vessels; but as the American navy had been reduced to a peace footing, he thought the time had now come when our force in that part of the world might be safely reduced to what it was in 1862—14 vessels. If we went to war with America, which no hon. Gentleman anticipated, hardly any of these vessels would be fit to cope with the *Monitors* that would be brought against them on the coasts of the United States. We should have to recall nearly the whole of them, or supplement them with vessels of a very different kind. Again, the China squadron had been doubled within the last twelve years. Its efficiency was also very greatly increased by the substitution of steamers for sailing vessels. No doubt our trade had vastly increased during the same period; but he thought the time had come when we should endeavour to secure the co-operation of America, Germany, and France against the pirates. The Chinese Government should also be required to pay for keeping down pirates. Piracy could not, in fact, be put down externally; it was a disease, and arose very much from the character and action of the Chinese Government itself; and it was by making the Government feel the responsibilities of its position by compelling it to fulfil its international obligations, that the best prospect lay of putting down piracy. Objections had been made to the concentration and reductions proposed by his hon. Friend. The hon. Member for Liverpool had stated that one of the principal benefits arising from these foreign squadrons was the training of the men and officers, and the instruction of officers in International Law. But these squadrons were very often stationary; they very seldom came together for the purpose of squadron exercise. Besides, the advantages of the training referred to would be equally or better gained by a flying squadron. And as to training officers in International Law, if that could for a moment be considered as a reason for maintaining these expensive squadrons, it was to be observed that it was daily becoming of less importance in consequence of the improvement in the means of communication, which rendered it unnecessary for officers to act upon their own responsibility. The great point of his hon. Friend's observations was to effect greater concentration of our force, and thus, while effecting a considerable reduction of force and expenditure, an increase would be gained both for purposes of offence and defence. What occurred at Valparaiso showed how little protection a fleet could give to British property. In that case our Admiral in command of the fleet had remained as a spectator while the property of British merchants was destroyed by the bombardment of Spanish vessels. In the opinion of the Government he had acted rightly; because to interfere would have been equivalent to a declaration of war with Spain—and if any wrong was done it should be the subject of direct negotiations between the two Governments, and ought not to be decided by the Admiral on the spot. If that were rightly decided, for what purpose did we maintain so large a fleet there? The First Lord of the Admiralty had asserted that the concentration of our squadrons nearer home would alarm European Powers, and lead to increased activity in the building of ships on their part. But surely that was the best evidence that such a concentration would give us greater power both for defence and offence, and would therefore be an advantageous step. There would be no danger to the country in a reduction of the number of men. He had during last autumn visited the American dockyards, and he could confirm the statement made by his hon. Friend the Member for Halifax, as to the reduction of the American navy. There was absolutely nothing going on in the naval yards of that country, with regard to the production of that class of fast vessels of which we had heard so much, that could occasion us any alarm. On the subject of their navy yards he would read a few observations lately made by the Secretary of the Navy to Congress. He said—

> "During the past year the operations of the navy yards have been reduced to the lowest point consistent with the public interest. On several vessels work has been altogether suspended, and on others only so much has been done as was necessary to enable the contractors for the steam machinery to place portions of their engines in the hulls. Six vessels of the class intended for high speed have been launched, and also three others, in which the steam power has been somewhat reduced in order to increase the armament. Steam machinery for twelve vessels of the classes here referred to is in an advanced condition, and the Department is under contracts made during the war to provide the vessels in which these engines are to be placed. It has, however, been considered advantageous under the circumstances, there being no pressing necessity for this class of vessels since hostilities have ceased, to make temporary arrangements for storing the machinery and postpone the construction of the hulls. During the year, the force in the navy yards has been principally engaged in placing in efficient condition the vessels which had been almost constantly employed during the war, and but very little progress has been made upon the hulls of new vessels."

He could say from his own observation that six vessels of the larger type of 3,000 tons had been built. Three of them had been tried. The first had been rejected because it did not come up to the speed promised. The second also did not come up to the speed promised. As the third vessel steamed at the rate of 12 knots an hour he supposed that it must be called a fast vessel; but, at the same time, its capacity for stowage was but small. It should also be borne in mind that the Americans had no really good sea-going iron-clad vessels; and therefore it was the less necessary for us to build vessels to cope with them since we had vessels like the *Warrior* and *Black Prince*, with which the Americans could scarcely hope to cope. He would conclude by saying that the navies of France and of America need create no alarm whatever in this country; and therefore any reduction in the naval service which we might make would not expose us to be taken at a disadvantage.

MR. CORRY said, that the questions that had been raised that evening were of great importance, but they were approaching the hour when the patience of Committees usually became exhausted; and therefore he hoped the Committee would not think he was treating them with want of respect if he confined his remarks to the most material points which have been referred to, reserving further explanations for a future day. In the first place, he must remark that he thought it would be more convenient if hon. Members confined their attention to the general policy of the administration in the preliminary discussion which was usual on the first Vote, and abstained from going into details with reference to particular subjects that might be much more advantageously discussed at a future stage. When the particular Votes to which those details referred came on for discussion, he and his Colleagues would be most happy to give every explanation that might be desired of them. With regard to the question of ships upon foreign stations which had been raised the other night by the hon. Member for Pontefract, and which had been again referred to that evening by the hon. Member for Halifax, he might observe that it was singular enough that this criticism upon the subject of the distribution of the fleet had proceeded solely from three former Civil Lords of the Admiralty. He was the last person who would wish to speak disrespectfully of Civil Lords, since he himself had been a Civil Lord for five or six times as long as the duration of the service at the Admiralty of any of the hon. Gentlemen opposite. But from his own experience during that time he was enabled to state that upon one point the advice of the Civil Lord never was asked, and that was as to the distribution of Her Majesty's ships. The manner in which the naval power was to be distributed was a Cabinet question, and depended upon considerations with which even the Lords of the Admiralty themselves were sometimes unacquainted, and which were kept within the bosom of the Cabinet. The Admiralty implicitly obeyed the instructions they received from the Cabinet upon this point. This was, of course, not a party question; still, it was singular that during the last nine or ten years the naval force upon foreign stations was much greater under Whig Governments than it had been under Conservative Governments. Thus, in 1858, when a Whig Government was in office, the number of men upon foreign stations was 28,657, whereas, in 1859, when his right hon. Friend Sir John Pakington prepared the Estimates, the number was reduced to 24,138; the average number between 1860 to 1866, when hon. Gentlemen opposite prepared the Estimates was 33,153, while, during the present year, it was only 24,560. Therefore, the present Government could not be accused of acting very extravagantly in this respect. The hon. Member for Halifax had laughed at the idea of the Foreign Minister directing the Admiralty; but the demands for ships for foreign stations had been generally irresistible, and if the Foreign Minister and the Cabinet said that one, two, five, or ten vessels were to go to a certain station the Admiralty must send them. It must be recollected that the ships on foreign stations did great service in acting as the police of the seas, and if they were withdrawn the greatest loss would fall upon our commerce, especially in the Chinese seas. It would be a most unsatisfactory thing were eight or ten of our fine merchant vessels to be burnt or plundered in consequence of our leaving the police of the seas to the care of the Chinese, which was one of the suggestions that had been made. He did not think that such a policy would be approved by the nation generally. The hon. Member for Pontefract had indicated the other night a scheme for maintaining a flying squadron at Lisbon, instead of distributing our force on the different stations, so that at the flash of the electric telegraph it might be sent to any part of the world in which its presence might be required. That would, undoubtedly, be a good plan if the vessels could also be sent by telegraph wherever they were wanted; but as the ships might have to go from

4,000 to 10,000 miles, and in many instances, perhaps, with only five or six days' coal on board, he was afraid the squadron would be of but little assistance at the critical moment. With regard to the amount of the Estimates, the Admiralty were called upon to justify the demands for the extra £500,000 asked for the service of the present year. It had already been stated by the noble Lord the Secretary of the Admiralty, who had moved the Navy Estimates in his absence, that the whole of that £500,000 was required for building new ships; and the question, therefore, was whether the Admiralty could justify the proposal for so increasing our present force. It must be admitted on all hands that it would be impossible to send iron-clads all over the world as cruizers to protect our commerce. It would be necessary to reserve the greater part of our iron-clads for the great political stations—such as the Mediterranean, the Channel, the East and West Indies, and North America. What would be the use of a squadron of iron-clads in the Chinese seas, where the work would be much more satisfactorily performed by smaller vessels? In the event of war, if we had not a sufficient number of small vessels to protect it, our commerce would be open to destruction by *Alabamas* to an extent that would spread dismay over this country. A most distinguished French Admiral had remarked in a pamphlet many years ago, that France must keep her corvettes and frigates in hand for the purpose of sending them to distant stations at the first outbreak of a war with England for the purpose of stabbing her to the heart by attacking her commerce, and thus compelling her to make peace. In order to meet such a mode of attack we ought to maintain a considerable force of vessels of the smaller classes, so as to enable us to protect our commerce from such attempts. He found that the number of ships under the rank of frigates at the disposal of this country in 1860 was corvettes and sloops, 61; gunvessels and gunboats, 166; paddle sloops, 35; building—corvettes 20, gunvessels and gunboats 24, making a total of 306, whereas in 1867, the numbers are, corvettes and sloops 55, and gunvessels and gunboats 127, paddle sloops, 10; building, corvettes and sloops 6, gunvessels 17, making a total of 215, or 91 less than in 1860. The right hon. Gentleman the late First Lord of the Admiralty (Sir John Pakington) thought it desirable, under these circumstances, that 21 additional vessels of the smaller classes should be built—namely, 3 sloops, 8 gunvessels, and 10 gunboats, which would give us a total of 236, or 70 less than in 1860. Perhaps it might be imagined that the number of vessels of the smaller classes in 1860 was unnecessarily large; but having been Secretary in the preceding year, he would state that the reverse was the case, and the number even then was insufficient. Hon. Gentlemen had talked about the number of our ships in comparison with that of other countries; but it had always been the policy of England to maintain a commanding fleet, greatly superior to that of other nations, and that for obvious reasons. The hon. and gallant Member for Aberdeen said, "Look at the number of our men, compared with the number in the French navy." He (Mr. Corry) might say look at the number of soldiers which France had as compared with England. The reason why France had more soldiers than England, and why England had more sailors than France, was because the requirements of the two countries were totally different. It was absolutely necessary to the existence of France that she should have a large military force; and, on the other hand, it was equally a necessity to England that she should be a great naval Power, and he hoped that she would always aim at maintaining a commanding fleet. At that late hour he would not further prolong the debate, but should be happy to afford any information which might be required on the discussion of the separate Votes. He hoped the Committee would pass the Vote in the hands of the Chairman before they reported Progress.

Mr. CHILDERS said, it was perfectly true that he and his hon. Friends who had spoken in that discussion, having held office as Civil Lords of the Admiralty, had nothing to do with the strength or disposition of the foreign squadrons; but that was precisely the reason why they had come forward on that occasion, for no one could taunt them with now suggesting a line of policy different from what they had formerly pursued. They had raised a discussion which he hoped would prove useful on a point of great national importance. The Committee was now asked to vote 67,300 men; but that number did not include the number of men to be employed in the troop ships. He therefore suggested that the Vote should be for the entire force that would be brought under the provisions of the Naval Discipline Act, which would give 69,313 for the true total of the number of men to be voted. He begged to withdraw his Amendment.

Mr. KINNAIRD said, he hoped that the remarks of the hon. Member for Reading (Mr. Shaw-Lefevre), respecting the British squadron at Valparaiso, would not be lost on the House, because the British merchants there had looked for protection from the British squadron; but it turned out that that squadron had not been strong enough to go into action, and the prestige of England suffered greatly in consequence. We should either maintain an adequate squadron in those waters or none at all.

Mr. CORRY said, he considered the number of men proposed to be voted was correctly stated in the Estimate; but he had no objection to accept the Amendment of the hon. Gentleman the Member for Pontefract if he wished to press it, although he thought it unnecessary.

Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to*

(2.) £1,900,952, Wages—["Progress, Progress!"]

Mr. CORRY said, he hoped the Committee would allow him to proceed until they came to a disputed Vote. It was desirable that as many Votes should be taken as possible, as it was uncertain when he should be able to take the Estimates again.

Lord HENRY LENNOX said, he hoped the Committee would allow the next Vote to be taken, because it followed the number of men as a matter of course.

Vote *agreed to.*

(3.) £1,241,614, Victuals and Clothing.

Whereupon Question again proposed,

"That 65,300 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March 1868, including 16,200 Royal Marines."—(*Mr. Childers.*)

Motion made, and Question proposed,

"That a sum, not exceeding £176,018, be granted to Her Majesty, to defray the Salaries of the Officers and the Contingent Expenses of the Admiralty Office, which will come in course of payment during the year ending on the 31st day of March 1868."

Mr. OTWAY moved to report Progress.

Mr. Serjeant GASELEE said, he hoped the right hon. Gentleman would assent to the Motion, as it was too late at that hour (quarter past twelve o'clock) to raise a discussion on the Vote. He wished to ask how it was, that so many temporary clerks having been discharged on account of the expense, the salary of the private secretary to the First Lord had been increased from £300 to £507; and also, who he was [*Cries of* "Progress! *and* No, no!"]; and also why the chief clerk's and the chief instructor's salaries had been increased £100 each?

Lord HENRY LENNOX said, that the objection raised by the hon. and learned Gentleman with reference to the private secretary no longer existed. It was an appointment by the late First Lord of the Admiralty, and as that right hon. Gentleman had ceased to hold the office of First Lord the private secretaryship ceased to exist. As to the two extra clerks, they were not really additions, inasmuch as they had formerly been employed as temporary clerks, and were now made permanent.

Mr. Serjeant GASELEE said, he thought the explanation was most unsatisfactory, as he considered it was rank jobbery that a First Lord should have appointed his son, who was not a naval man, to this position.

Mr. OTWAY said, he saw that the three Naval Lords received £1,000 each; but by a note he found this included £300 a year for a house, so they appeared only in fact to get £700. Was this so?

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again," — (*Mr. Serjeant Gaselee,*)—put, and *negatived.*

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

CANADA RAILWAY LOAN BILL—[Bill 99.]

(*Mr. Dodson, Mr. Adderley, Mr. Chancellor of the Exchequer, Mr. Hunt.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Adderley.*)

Mr. MONK said, he felt bound to record anew his protest against the passing of the measure. He did not look with dissatisfaction upon the Confederation; but he did not think that this country could properly be called upon to agree to the proposed guarantee.

Mr. CRAWFORD was quite content to regard this Bill from an Imperial point of view, and he thought that on this ground it was most important to this country to facilitate the construction of this railway. In the course of the previous debate the right hon. Member for Calne had said it would be absurd for us to think of communicating with Canada by way of Halifax, while the port of Portland in the State of Maine was open to us. But he thought it must have escaped the observation of the right hon. Gentleman that in using the port of Portland in the winter months, extending over nearly half the year, we did so entirely upon the sufferance of the people of the United States. This consent might at any time be withdrawn, and so long as the present protectionist policy was maintained by the United States, it would be for the interest of this country to secure admission for our exports to Canada without passing through a foreign territory. Then with regard to postal communication by a steamer arriving off Halifax and landing her mails, they would by means of this line reach the extreme west of Canada, as well as Minnesota and the Western States of the American Union, forty-eight hours sooner than they did at present *viâ* New York. The 2*d*. now paid on every letter, and the 1*d*. paid on newspapers, would also be saved by Canada, and the line would probably carry a great deal of the correspondence between this country and the far West. Lastly, it was of the utmost importance that, as Halifax was our great naval station in the Atlantic, means should be secured of ready communication with the valuable coal mines of New Brunswick, which already competed at New York with the Pittsburg coal. Looking at the question from a purely Imperial point of view, and not having himself the slightest pecuniary interest in British North America, he believed the construction of the railway would be a great advantage.

Mr. Serjeant **GASELEE** agreed that the reasons assigned by the hon. Member might be a good ground why the Canadians should make the line, but they afforded none why we should give the guarantee asked for; and he protested against the right hon. Gentleman (Mr. Adderley) asking the House to assent to the Confederation Bill because it would not bind it to grant the guarantee, and then telling the House that the guarantee must be given because the Confederation had been sanctioned by Parliament. Such a course was calculated to mislead a young Member like himself.

Mr. **ADDERLEY** emphatically denied that he had ever told the House it must agree to the Bill because it had sanctioned the Confederation. On the contrary, he had told hon. Members that they were quit free to deal with the question, and they had given leave to bring in the Bill by a majority of 4 to 1.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday.*

House adjourned at a quarter before One o'clock.

* * *

HOUSE OF LORDS,

Tuesday, April 2, 1867.

MINUTES.]—*Sat First in Parliament*—The Earl of Camperdown, after the Death of his Father.

Public Bills—*First Reading*—Sugar Duties * (70).

Second Reading—Judges' Chambers (Despatch of Business) (58); Criminal Lunatics (55).

Third Reading—Dublin University Professorships * (48), and *passed.*

JUDGES' CHAMBERS (DESPATCH OF BUSINESS) BILL—(No. 58.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading read.

The **LORD CHANCELLOR**, in moving that the Bill be now read the second time, said, that on the introduction of the measure he stated its object to be to enable the Masters in the Judges' Chambers to transact business which was at present thrown on the Judges to the great inconvenience of the public. When he made his statement a noble and learned Lord (Lord Cranworth) who had had great experience of the Superior Courts, and knew the practical inconvenience which the Bill was intended to remedy, said that he entirely approved the measure; but since then that noble and learned Lord had suggested that it was desirable to have an appeal from the decision of the Masters in certain cases. He entirely agreed with that suggestion, and he had since framed a clause, which he proposed to move in Committee giving effect to the proposition.

Motion *agreed to:* Bill read 2^a, and *committed* to a Committee of the Whole House on *Tuesday* next.

CRIMINAL LUNATICS BILL—(No. 55.)

(*The Earl of Belmore.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF BELMORE, in moving that the Bill be now read the second time, said, that the Bill had been sent up to their Lordships by the House of Commons. As the law at present stood it was not in the power of the Secretary of State to order the discharge of any criminal lunatic, who being detained in custody during Her Majesty's pleasure, or who after conviction has been transferred to a lunatic asylum by order of the Secretary of State, or has after conviction been shown to be unfit for penal discipline, otherwise than absolutely. This Bill proposed to give to the Secretary of State power to discharge any such criminal lunatic on conditions binding on the person discharged, or on such other persons as the Secretary may think expedient. The Bill also enabled the Secretary of State to order the removal of any criminal lunatic to a county asylum on the expiration of his sentence.

Moved, "That the Bill be now read 2ª."—(*The Earl of Belmore.*)

THE EARL OF SHAFTESBURY said, that he approved generally of the measure; but the Bill contained one clause so important that it partook of the nature of a principle, and might therefore fairly be discussed upon the second reading. The 5th clause provided that it should be lawful for the Secretary of State to discharge absolutely or conditionally any criminal lunatic. No doubt the Secretary of State had at present the absolute power of discharging a criminal lunatic. But he had not the power of discharging him conditionally. The conditions would probably be that the friends and relatives of such lunatic should undertake the charge of him. Now he (the Earl of Shaftesbury) was anxious to draw the attention of their Lordships to this clause, with a view of impressing upon the Secretary of State the necessity of great caution in the exercise of such powers; because the fact that the lunatic would be liberated, and would appear to be restored to society, would be known, while the conditions under which he was released would not be known. Now, if it should so happen that a dangerous lunatic were restored to society, it might have a pernicious effect on the public mind. We were living in stirring and peculiar times, and it was impossible to shut our eyes to the fact that the educated and commercial classes were much more subject to nervous excitement and habits of mind and body that were likely to bring on desultory and dangerous actions than at any former period of our history. It should also be remembered that there was a manifest tendency in Courts of Justice to admit readily the plea of insanity, however grave the offence that was charged might be. Counsel were fond of pleading insanity; medical men were easily found to maintain that plea; and juries, who felt themselves perplexed by the law and the facts of the case, were only too glad to get rid of the matter by giving a verdict that the crime was committed under the aberrations of insanity. The result was that in many instances the merest trifles of eccentricity committed at any former period of life were brought to bear at the trial, and were deemed sufficient to exonerate the criminal from the penalties of the law. He was then confined as a criminal lunatic during Her Majesty's pleasure; and in a short time, when he was either actually or apparently recovered, and under the advice of medical men, was restored to society. The consequences were very serious. The Commissioners of Lunacy were generally consulted in these cases, and they invariably confined themselves to the testimony of the medical man, to the effect that, so far as he could judge, the patient was not likely to do harm to himself or injury to others. The Commissioners carefully abstained, and he thought on the best ground, from ever advising absolutely that a patient who had committed a grave crime should be restored to society. They had, however, made an exception in the case of crimes committed under puerperal mania, but only in cases where the woman was past child bearing. It was a very serious question whether criminal lunatics who had committed dreadful crimes should ever be restored to society; and it was very doubtful whether a patient who had manifested a suicidal or homicidal tendency could be safely restored to society. Recollecting the disturbing influences of society upon a patient who was restored to it, they could never be sure that he might not have a sudden access of passion or violence which might lead to a repetition of the act for which he was originally tried. There were a great number of those who were called lunatics who had full powers of calculating the probable consequences of any act they might contemplate, and who were open to deterrent influences of various kinds. If these deterrent influences were removed from them, they might easily be induced by a sense of impunity to commit acts which they might otherwise not have thought of doing. In proof of this, he might mention that on the last occasion upon which he visited Bethlehem Hospital he put this very question to the eminent medical man who presided over that establishment. Dr. Helps told him that perhaps twenty men then present in the room had, in effect, said to him, "If we get out we will take your life, and no harm can happen to us, because we have been examined and declared to be lunatics, and the utmost possible punishment we can incur is re-confinement here." Time was when these deterrent influences to which he was referring were stronger than they were now. He was far from complaining of the altered state of things at Bethlehem; but there was no doubt that formerly the mere mention of Bethlehem Hospital and its horrors were sufficient to set the imagination of lunatics to work; they magnified the horrors of the place, and numbers of them were thereby deterred from the commission of acts which would result in their confinement there. But now the question of simulation had to be considered. He believed that in many cases simulated madness had preceded the commission of a crime in order that the consequences might be escaped; beyond doubt many more cases of simulated madness occurred after the commission of a crime with a similar object; and as hospitals for lunatics were improved and made more comfortable, criminals would simulate madness in the hope that they would exchange the hardships of gaol life for a home in one of the most happy, healthy, and beautiful spots on the face of the earth. He could conceive of nothing more enjoyable to a man of few purposes than life at Broadmoor, where the inmates had at their command spacious assembly-rooms for lectures and entertainments, billiard-rooms, pleasure-gardens, and admirable diet, and kind superintendence. All that was, of course, perfectly right when intended for persons who were suffering by the visitation of Providence; but it did entail upon the Secretary of State the utmost possible caution. He would not say that lunatics never should be liberated; but cases of that kind ought to be of exceedingly rare occurrence. Although all desired to see those afflicted with lunacy restored to perfect health, the security of society at large was even more important, and he had said what he had upon the subject in order to impress upon their Lordships the imperative necessity which existed for the greatest caution in carrying out the provisions of the Bill.

The Earl of KIMBERLEY asked, what reasons had weighed with the framers of the Bill when they inserted Clause 3, making the Act inapplicable to Ireland, and why some such Act was not thought necessary for Ireland?—because the asylum at Dundrum was very similar to that of Broadmoor? He noticed, also, that Clause 5 directed that any person who had been acquitted on the ground of insanity, and had thereon been ordered to be detained during Her Majesty's pleasure, might be dealt with as a person whom the Secretary of State was empowered to discharge either absolutely or conditionally: was not this encroaching upon the prerogative of the Crown? Lunatics acquitted of a crime on the ground of insanity, and lunatics who had escaped trial on the same ground, were now confined during Her Majesty's pleasure, and could be liberated by Her Majesty on the advice of Her Ministers.

The Earl of BELMORE said, that he was unable at the moment to give a positive answer to the first question put by the noble Earl; but his impression was that the Bill dealt with many Acts which did not extend to Ireland, and that it was thought prudent to limit the scope of this also. With regard to the second question, he did not think the 5th clause would be found to encroach on the prerogative of the Crown.

Lord WESTBURY was understood to say that the prerogative of the Crown could not be taken away without express words to that effect; no such express words were in the clause, but it appeared to invite the Queen to confer upon a Secretary of State powers now exclusively possessed by the Crown.

Motion *agreed to*: Bill read 2^a accordingly, and committed to a Committee of the Whole House on *Thursday* next.

THE NEW GOVERNMENT OFFICES.

NOTICE.

Lord REDESDALE gave Notice that on an early day he would call attention to the state of the new Government Offices in Downing Street. Notwithstanding their immense size, he was told that those at present built comprised only the India Office and Foreign Office; and this suggested that either the number of officials had been enormously increased, or that the buildings were too large. He proposed to inquire what were the facts in this respect, and also to draw attention to the little now being done towards the completion of the buildings, having regard to the immense sums paid for the site, and the large rents paid for temporary offices. He thought that if we were to have new offices the sooner they were supplied the better. He had heard that it was intended to pull down the Colonial Office before the new offices were built. He hoped that would not be done, as it would involve a wanton and unnecessary expense, and be attended with great inconvenience, arising from removal of papers and other circumstances. Another question which he wished to ask was this—whether any plan had been devised and submitted to Government for the connection of the present buildings belonging to the Privy Council Office, which faced Whitehall and ran partially along Downing Street, with the new buildings, which were in a different line, and with which, it seemed to him, it would be very difficult to establish such a connection? And then he wished to know how much of King Street lying in front of the new offices it would be necessary to purchase and to pull down. That he might be in order in putting these questions, he would move for a Return of the property purchased in King Street by Parliament.

CESSION OF RUSSIAN AMERICA TO THE UNITED STATES.

QUESTION.

THE EARL OF CLARENDON: My Lords, in the absence of the noble Earl at the head of the Government, I take the liberty of asking any of the noble Lords opposite whether they may be able to give the House any information on a subject of great public interest. I allude to the cession of Russian America to the United States, of which we received information yesterday by telegraph. A similar Question was asked yesterday in "another place," and my noble Friend at the head of the Foreign Office said that he had telegraphed to St. Petersburg for information, and had not yet received an answer.

Lord Redesdale

THE DUKE OF BUCKINGHAM: My Lords, I am much obliged to the noble Earl for having put the Question, because it affords me an opportunity, in the absence of my noble Friend at the head of the Government, of giving all the information which we at present possess with reference to the cession of Russian America to the United States. Within the last two hours a communication has been received from St. Petersburg confirming the impression that negotiations have been entered upon, or are on foot, for the purpose of treating with the United States for the cession of that territory; but how far these negotiations have progressed, whether they have arrived at any definite point, or whether any answer or communication has been received from the United States, the authorities at St. Petersburg were not aware when the information thence was sent to us. The question of the cession of that portion of America to the United States is one likely to cause great feeling and possibly considerable excitement; but I trust it will not be allowed to have undue weight in the minds of Englishmen—for I cannot myself think that the cession or purchase, if it be so, of the territory in question, by the United States, is likely to have any such overwhelming influence upon the progress of the colonies sprung from English blood which have been established on that side of the world as at first sight appears to be imagined.

House adjourned at Six o'clock,
to Thursday next, half
past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, April 2, 1867.

MINUTES.]—SUPPLY—*considered in Committee —Resolutions* [April 1] *reported.*

PUBLIC BILLS—*Ordered*—Bunhill Fields Burial Ground*; Sunday Lectures; Master and Servant; Fortifications (Provision for Expenses)*; Marine Mutiny.*

First Reading—Fortifications (Provision for Expenses)* [104]; Marine Mutiny*; Master and Servant [105]; Sunday Lectures [106]; Bunhill Fields Burial Ground* [107].

Second Reading—Policies of Insurance* [85]; Houses of Parliament* [81]; National Gallery Enlargement* [82].

Referred to Select Committee—Houses of Parliament* [81]; National Gallery Enlargement* [82].

Committee—Industrial Schools (Ireland)* [17]; Sale and Purchase of Shares [38]; Alimony Arrears (Ireland) (*Lords*)* [98].
Report—Industrial Schools (Ireland)* [17 & 102]; Sale and Purchase of Shares [38 & 103]; Alimony Arrears (Ireland) (*Lords*)* [98].
Considered as amended—Mutiny.*

GRAND DUCHY OF LUXEMBOURG.

QUESTION.

Sir ROBERT PEEL said, he would beg to ask the Secretary of State for the Home Department, At what time the Secretary for Foreign Affairs would be in his place?

Mr. WALPOLE said, he believed that his noble Friend was now receiving a deputation from what was called the Reform League.

Sir ROBERT PEEL said, he would beg to ask the right hon. Gentleman, whether he can give the House any information with reference to the question asked the other night respecting the Grand Duchy of Luxembourg? Has the right hon. Gentleman received any fresh information as to the proceedings of the Governments of France and Holland?

Mr. WALPOLE said, he thought that the right hon. Baronet would admit it to be proper that such a Question should not be answered before the noble Lord the Secretary of State for Foreign Affairs came down to the House.

LONDON UNIVERSITY.—QUESTION.

Mr. LAYARD said, he wished to ask the First Commissioner of Public Works, Whether the buildings to be erected at the back of Burlington House for the accommodation of the London University are to be in the same style of architecture as that edifice, or whether the Report be true that they are to be in the Gothic style; and, whether he will give directions for the exhibition, in the Library, of the elevation and plans of the new buildings, in order that Members may have an opportunity of inspecting them? He also wished to know whether it is true, as reported, that Mr. Pennethorne has protested against the employment of the Gothic style, and has furnished a design in harmony with the architecture of Burlington House; and, whether the noble Lord will allow that design to be exhibited with the others?

Lord JOHN MANNERS said, in reply, that the buildings to be erected would not be in the same style of architecture as Burlington House, but they would be in the style called Italian-Gothic, and he had no objection to the exhibition of the designs in the Library of the House. He believed there was no truth in the report that Mr. Pennethorne had protested against the use of the Italian-Gothic style, for he had himself presented a design in that style.

Colonel FRENCH: May I ask the noble Lord what he means by Italian-Gothic?

Lord JOHN MANNERS: The hon. and gallant Gentleman had better consult the hon. Gentleman (Mr. Layard) who sits next to him.

Mr. LAYARD said, he wished to know, whether Mr. Pennethorne did not furnish an elevation in the same style as Burlington House; and whether the noble Lord would have any objection to put that plan in the Library?

Lord JOHN MANNERS said, both the alternative designs of Mr. Pennethorne could be placed in the Library.

Mr. BENTINCK asked, from whom this monstrous proposition emanated?

Lord JOHN MANNERS said, that Mr. Pennethorne furnished two designs, and he was not aware that either of them was objected to.

FACTORY ACTS AND GLASS MANUFACTURES.—QUESTION.

Mr. HARTLEY said, he would beg to ask the Secretary of State for the Home Department, Whether there has been any official inquiry to ascertain the expediency of extending the Factory Acts to glass manufactories; and, in case he has received any official Reports, will he lay the same upon the table of the House before the Easter recess?

Mr. WALPOLE said, in reply, that the hon. Member would find in the Commissioners' Report the most elaborate information in reference to the subject.

LANCASTER BOROUGH.—RESOLUTION.

Colonel WILSON PATTEN said, he wished to call the attention of the House to the Petition (presented on the 14th of March) relative to Lancaster Borough, and to move that the petitioners be heard at the Bar of the House upon their petition, if they thought fit. Before addressing the House upon this point, he would present a petition from 1,200 householders in the borough of Lancaster, who had looked forward to gaining the franchise under the provisions of the Reform Bill, and who stated that as they had been totally unconnected with what had taken place at the last election, they considered it would be an act of injustice on account of the malpractices of others to deprive them of the advantages they would otherwise have had. They prayed the House to take their case into consideration, and not to pass that portion of the Bill which included the disfranchisement of Lancaster. He had also to present petitions from two persons, electors of Lancaster, whose names had been inserted in the list of those found guilty of bribery, but who declared that they had taken no part in such bribery, and asked the House to take their cases into consideration, in order that their interests might not suffer. He had now to bring under their consideration a petition which he presented some time ago from the mayor and corporation of Lancaster, praying to be heard by counsel at the Bar of the House against the disfranchisement of that borough as proposed by the Representation of the People Bill. After the presentation of that petition he had been intrusted with another, signed by about 500 electors of Lancaster, who were quite uncontaminated and unconnected with any of the corrupt practices at that election. The House might confidently rely upon his statement, when he said that no individual who had been either directly or indirectly found guilty of corrupt practices at the last election had been allowed to add his name to this petition. These petitioners also prayed to be heard by counsel against that part of the Reform Bill which proposed to disfranchise their borough. He was aware of the difficulties he had to contend with in introducing the question of which he had given notice. When the Reform Bill was introduced by the Chancellor of the Exchequer it was impossible not to note the more than ordinarily favourable manner in which that portion of the scheme of the Government was received by both sides which involved the disfranchisement of those boroughs which had been reported as guilty of bribery. Having himself read with great pain the Reports of the Commissioners, he was not in the least surprised at these manifestations on the part of the House. It was perfectly natural and very creditable that they should have occurred; but it greatly increased his difficulty in striving to make them take a dispassionate view of the circumstances which he had to submit. It would be worse than useless for him to attempt to deny the corruption which was proved to exist in the borough of Lancaster. He should at once admit it, though he might be able to offer some extenuation on behalf of a portion of the electors. The main features of the case were very briefly told. After the last election, in consequence of a Report made to the House by the Committee appointed to try the merits of that election, a Commission was very properly sent down to make a searching inquiry into all the transactions. That Commission was composed of three gentlemen who were members of the legal profession. He might say in passing that he had nothing to say against these three gentlemen, nor had the petitioners anything to complain of with respect to their conduct during the investigation, which was conducted throughout with great ability, astuteness, fairness, and impartiality. He wished to ask, however, what object was sought to be gained in confining the constitution of that Commission to members of the legal profession? There must have been some advantage contemplated by such procedure. A glance at the Report would show what that advantage was. No doubt legal gentlemen were selected because from their experience in matters of this kind, from their manner of examining witnesses, and from their general ability in eliciting the facts of a case, they were considered to be better qualified to conduct such an inquiry than gentlemen not belonging to such a profession. That being the case, he claimed for the inhabitants of Lancaster to be allowed the same privilege in conducting the defence as had been granted to those who conducted the prosecution. The inquiry was conducted by these legal gentlemen with the intelligence and assiduity which characterized their profession. It extended over thirty-four days. 1,400 witnesses were examined, about 39,000 questions were asked, and the Report and evidence formed a book of 750 folio pages. That inquiry, however, which extended over so long a period, was from first to last conducted without any of those advantages on the part of the electors of the borough of Lancaster which were allowed to the prosecutors, and which might have enabled the defenders to have elicited facts in their own favour in cross-examination. For this reason, he contended that the petitioners should be heard by counsel at the Bar of the House. There was an important point which he should himself like to hear argued at the Bar of the House, more particularly as it was one not confined to elections. The whole of the evidence was obtained by means of an indemnity which was given to the people of Lancaster. In consequence of that indemnity electors came forward willingly, offered their testimony, and with one or two exceptions gave every facility for getting at the truth. He thought the question as to what that indemnity involved should be argued at the Bar of the House. Did it merely involve freedom from personal punishment, or did it also include the loss of the privilege of voting which the parties had enjoyed? Many of the electors of Lancaster believed that the indemnity covered both, and that they would neither suffer in their persons nor privileges, and many of them gave their evidence on that understanding. A Commission had lately been appointed to inquire into the operation of Trades Unions, and in order to induce witnesses to come forward, an Act was passed indemnifying every person who should come forward and give evidence. Some atrocious acts had to be inquired into by that Commission, among others one connected with the town of Sheffield, which had raised general horror throughout the country. Supposing that the House—respecting the indemnity so far as personal punishment was concerned—was yet to enact that the residents in the city of Sheffield should not in future be allowed to form or enter into such trades unions, would it not be held to be a very hard case? The House might just as well do that as follow out their proposed policy with respect to Lancaster. The cases were similar, and the question might well be argued at the Bar of the House whether the indemnity granted to Lancaster did not protect the electors from forfeiting their electoral privileges. No doubt it might be said that this was a question which it would be competent for Members representing the district to discuss. But hon. Members must labour under great difficulties in undertaking the advocacy of such a case. For himself, he must say he should hesitate to appear as an advocate under such circumstances. He had been returned for an entirely different object. He had never taken part in a case of this kind, and this was the first time he had ever been engaged in the advocacy of such a case. He wished to ask the House whether the suggestion of these parties, to be heard against the proposal to disfranchise Lancaster, was anything new? He had endeavoured to make himself master of all the precedents on this subject, and he had not found an instance in which the House had refused the prayer of the petition. There were thirteen instances to the contrary. He would refer to one or two of them. There was the case of Weymouth, in which the question was whether the voters should be disfranchised. The petition against it was referred to a Committee of the Whole House and was supported by counsel. Then there was the case of Penryn, and also of East Retford, and in both of those cases the parties were allowed to be heard at the Bar of the House. There were also the cases of Liverpool and of Sudbury. The case of East Retford was strictly analogous to Lancaster. After debate on the petition, which stated that the electors had no representative to argue their case, the question put was whether counsel should be heard at the Bar. The House resolved in the affirmative, and Mr. Denman was called in. These petitioners on the part of the borough of Lancaster had no representative, and therefore the same opportunity of being heard should be given to them. He would not trouble the House further with precedents. If hon. Gentlemen would look into the journals of the House they would find ample reasons for granting the prayer of this petition. One other point which he might mention was the fact that one of the Members which the borough of Lancaster had been deprived of by the House was a learned gentleman, a distinguished member of the legal profession, and the people of Lancaster were now deprived of his assistance in defending the Parliamentary existence of their borough. He knew there was a strong feeling in the House against Lancaster; but notwithstanding that, he would lay some facts before them to show that the borough ought not to be disfranchised. Some extenuation might be offered for what had taken place at Lancaster when he stated the amount of temptation which existed. No less than £14,000 were spent in bribery and treating amongst about 800 of the less wealthy classes of the borough at the last election. Notwithstanding so much bribery a large portion of the electors were uncontaminated, and he asked that they should not be sacrificed. He would not defend the expenditure which had taken place; but if there were an excuse for it, it would be found in the fact that the greater part of the money was spent amongst labouring men, who earned their livelihood by daily wages. It would be worth while, in considering this question, to look at the position which the borough of Lancaster would occupy in the event of the passing of the Reform Bill, and in case the clause disfranchising the borough was struck out. The present constituency of Lancaster, including those who had been placed upon the register since the election of 1865, and who were therefore untainted, and excluding those who had been declared corrupt, was 600 and odd, a constituency superior to that of seventy existing boroughs. The population was 17,500, being a larger population than that of ninety-nine boroughs, while the number of male occupiers over £6 and under £10 rating value, and above £10 gross estimated rental, was greatly in excess of that of seventy boroughs. The wealth and importance of the borough were also rapidly increasing year by year. He believed, therefore, that the question of disfranchising a large portion of the constituency who were totally uncorrupted, and he might add, from the temptation to which they had been exposed, perfectly incorruptible, was one well worthy the cautious consideration of the House. It had been his lot to become intimately acquainted with members of both parties in the borough, and from his own knowledge he could testify to the fact that a large portion of the inhabitants of Lancaster had from the beginning deprecated the malpractices which had existed in the borough. He felt, indeed, convinced that if the House should think fit not to carry out the proposed disfranchisement, so strong was the feeling on the subject on the part of those who had no share in the practices complained of, and so sincere was the repentance of many of those who had been concerned in them, that there would be no fear of their recurring at any future time. He had hesitated before bringing this Motion forward, because he had feared that it might be regarded as a desire on his part to cause interruption to the Reform Bill now before the House; but he could assure the House that his intention was far otherwise. He was as anxious as the Government or any hon. Gentleman could be to see a good Reform Bill passed, and to secure that result he had resolved to compromise many of the opinions to which he had hitherto clung. He was therefore far from wishing to offer the slightest obstruction to the Reform Bill; he only desired, if possible, to secure justice for those who, having no other representative, had intrusted their case to his charge.

Motion made, and Question proposed,

"That the Mayor and Corporation of the Borough of Lancaster be heard, by Counsel, at the Bar of this House, in Committee on the Representation of the People Bill, upon their Petition, presented on the 14th March, against Clause 8 of the said Bill, which provides for the disfranchisement of that Borough."—(*Colonel Wilson Patten.*)

MR. WALPOLE said, that the question brought before the House relating to the disfranchisement of so large a borough as Lancaster was one which ought to be dealt with in a judicial, and not in a party spirit. Nobody who had read the Report of the Commissioners could doubt that there had existed a stupendous system of corruption in that borough. When he compared the number of voters with the number of voters bribed, he could not help feeling that disfranchisement was never more justifiable than it would be in this case. Out of 1,408 voters, 843 were bribed, while 89 acted as bribers, giving a total of 932. If the House dealt with Lancaster in a way other than that in which it had dealt with Sudbury and St. Albans, it would be holding out a premium to bribery and corrupt practices. The only thing that could be said was that it was a larger borough; but if that was to have any weight with the House it would be holding out a premium to bribery in large boroughs. Great Yarmouth was a larger borough than Lancaster, and the case of that borough would have to be dealt with in due time. For all boroughs, whether large or small, the same law ought in justice to be applied and administered. He certainly had entertained some doubt, and it was the only point on which he had entertained any, as to the advisability of hearing counsel at the Bar on the ground of the Members having been taken away. But that course had been adopted in only one case, that of Sudbury. There, however, the inquiry was held not by Commissioners, who, being appointed independently of party, might be regarded as judicial investigators, but by a Committee of the House—a difference which he regarded as very material. On the whole, he had arrived at the conclusion that no grounds being urged for impeaching the decision it would not be advisable to hear counsel at the Bar. He was of opinion that if any borough should be disfranchised it was that of Lancaster.

THE MARQUESS OF HARTINGTON said, the right hon. Gentleman appeared to think that no injustice would be done by disfranchising Lancaster. But that was scarcely the question. His hon. and gallant Friend and Colleague had only asked the House to allow the petitioners, who were in the position of criminals, to be heard at the Bar against disfranchisement, The right hon. Gentleman observed that the Commissioners were a judicial tribunal, and therefore fully qualified to give an opinion on the points submitted to them. He (the Marquess of Hartington) did not deny that, nor did his hon. Friend and Colleague, but the Commissioners' duty was merely to report the facts, and it was for the House to decide what should be done upon those facts. The disfranchisement of the borough was not one of the recommendations of the Report. They did not desire that counsel should be heard for the purpose of disputing the conclusions of the Commission, but simply for the purpose of urging reasons against the course which the Government proposed to found upon these conclusions. He would not at present, if at all, enter upon a defence of the borough of Lancaster; but there were circumstances which might be brought forward in extenuation. The Report of the Commissioners was severe, though just. There were 600 voters against whom there had been no proof of corruption. He did not say that punishment might not be necessary, but it should be discriminating. He doubted whether punishment of such severity was productive of much good. The punishment of disfranchisement had been applied already. Sudbury and St. Albans had been disfranchised; but the experience of subsequent Parliaments, particularly the last, had proved that the end desired had not been secured. It was an accident that a petition had been presented against the last return for Lancaster, and it was an accident that the petition was heard. But for such accidents the corruption of the borough would never have been brought to light, the fear of disfranchisement having an obvious tendency to prevent petitions. If the House should decide on the punishment of disfranchisement after mature deliberation the case would be very different. His hon. and gallant Friend had mentioned a point which might properly be argued by counsel, and there was another which might be named—namely, that though the Commissioners, finding the previous election to have been a pure one, were precluded from formally entering into that or former elections, they nevertheless reported that corrupt practices had prevailed on previous occasions. Now it was doubtful whether the Commissioners had a right, under those circumstances, to fix such a stigma on the borough. It had not been the practice to disfranchise a borough on account of the proceedings at one election only. Sudbury and St. Albans were disfranchised not only on the ground that gross corruption had prevailed at the last election, but at many previous elections. But in the case of Lancaster the Commissioners affixed a stigma without full and formal inquiry having taken place, though this ought to be granted before the borough was disfranchised. What he asked was that a borough like Lancaster should not be condemned unheard. The course now proposed to be taken was without precedent. In former times the custom had been to bring in an Act for disfranchisement and for that only. In no previous case had the matter been disposed of in the same Parliament, or within a considerable number of years. It was true that in 1852 the right hon. Gentleman (the Chancellor of the Exchequer) proposed to dispose of the seats forfeited at Sudbury and St. Albans in the same Session of Parliament, but that proposal was defeated by a large majority. If hon. Members referred to the debates of the time they would see that it had been maintained by persons of great distinction on both sides of the House, that the question of the disfranchisement of a corrupt borough should be considered solely with respect to the borough. It was proposed to mix up a question so peculiarly important to the boroughs themselves in a Bill of the general importance of the Reform Bill. The course proposed would be unjust and inexpedient. The punishment proposed to be inflicted in the cases of Lancaster and Yarmouth, and other boroughs, would be very much nullified on account of its severity and injustice. It should be clearly seen by the country that Parliament acted solely from a sense of justice, and not with a view to the convenience of Government or the House of Commons, when it resolved upon so extreme a measure as disfranchisement. It should not appear to result from a desire to obtain seats to be allotted to new constituencies with as little trouble as possible. If the punishment were inflicted it should be carried out in the same manner as in former times. A Bill of disfranchisement alone ought to be brought in. It was not fair and just that the discussion of this question should be mixed up with the discussion of a Reform Bill. Parliament would, to a certain extent, expose itself to the imputation of insincerity if it assented to this proposal. What would be said if, upon the trial of a criminal, the Judge and jury proceeded to appropriate and dispose of the property of the condemned? Even though the punishment might be just, the justice of the proceeding would be very liable to observation. That was just such a course as the Government proposed. This mode of dealing would secure to them seven seats, and there was no doubt that they desired to get seats with as little trouble and alarm as possible. He asked the House to hear the electors by counsel at the Bar. He hoped the House would pause before they proceeded in the course pointed out by Government, and that they would deal with the question separately, and not as part of a Reform Bill. He asked this, not in the interest of the borough alone, but on the grounds of honour and justice.

Mr. HENLEY: I think it would be difficult to read a document disclosing more general corruption than the Report of the Commissioners in the case of the borough of Lancaster. That being the case, and the House being asked to inflict the highest penalty they are capable of inflicting, I ask them to be careful not to omit the smallest portion of that justice which might be claimed by the humblest criminal. Let the House hear at least what these electors have to say in their defence. I hardly ever heard of a case where the parties were not heard. You may say the parties were before the Commission; but those were the guilty parties only. The parties not mixed up with this transaction have not been heard. The Commission had simply to report whether corruption existed; and, if so, who were the guilty parties. They had not to form any opinion as to the consequences of their finding; and this proposal did not emanate from them. This is entirely a new matter. I think the House has never proceeded to punish parties without a hearing. I know nothing in which this country stands so high as in this—that every man is entitled to offer what he has to say in his defence. It cannot be presumed that we should argue the case of Lancaster on the second reading of the Bill, or on going into Committee—still less on the third reading. But if a special Bill had been brought in, these parties and their friends, if they have friends, would have had the opportunity of raising the question at every stage; whereas now it will simply arise in Committee on the question whether the word Lancaster shall be retained in the clause. Disfranchisement being intended for an example, it ought not to be inflicted in an unusual manner nor the condemned parties refused a hearing. What has been heard at one time might be repelled at another. The case looks a strong one *primâ facie*, but the stronger the case the greater the claim to be heard. But here it will be said that you have acted contrary to the usual custom; and it will be alleged that you have refused to hear what was to be said in defence. Having been always desirous to hear what can be said on both sides before I proceed to judge, and especially before consenting to inflict the highest penalty, I think my hon. and gallant Friend is justified in asking us to hear before we proceed to a decision.

Sir ROUNDELL PALMER: It is not without regret that I feel compelled to take a part different to that pursued by my noble Friend (the Marquess of Hartington), to whose spirit and motives I desire to do full justice. But we have to discharge a duty involving a principle not connected merely with a particular place. We have to consider not only the case of Lancaster, but the cases of the three other constituencies which are to be disfranchised; and we are also about to make a precedent for future cases which may arise. I differ from the right hon. Gentleman who has just sat down, whose statement is founded on the fallacy that there is something we are to hear and decide that has not already been heard and decided. What has been done? Cases of corruption have frequently come before the House; and Parliament enacted, by 14 & 15 *Vict.*, that when it should have been reported by an Election Committee that extensive corruption had prevailed in any particular case there should be an inquiry by a Royal Commission, when all persons connected with the locality might be examined generally as to the proceedings at the last and previous elections. All persons concerned had notice therefore that their borough would be placed on its trial. Those who had an interest in showing that there was a large section of the community which had set its face against bribery had the opportunity of coming forward to prove it; and those interested in preserving the representation of the place had the opportunity of making out a case for that purpose. But let not the House suppose that because there are 600 electors not proved guilty of bribery that all these must be innocent persons to whom we should be doing wrong by disfranchisement. It is impossible that such gross corruption could have gone on without its being generally known. If all these electors had done their duty there might have been no necessity for the Commission. The Commission has heard the case and has reported. What, then, is the House to hear? This is not a question of private right. It is a question of public functions of which we are judges. No counsel could assist us in the duty of debate which will devolve upon us when it comes before us. We are the persons to argue this question on the ground of public right. It would be wrong to look at this as a matter of private right. When it is proved that a constituency has been guilty of gross and systematic corruption, it is for us to determine whether that constituency shall continue to return Members. That is not the duty of counsel; and if the House were to take the course proposed, it would, in fact, be calling upon counsel to participate in our debates. For this reason, I say such a course ought not to be followed. Enormous inconvenience would arise from such a precedent. If counsel were to come to your Bar, who could stop counsel? They might argue from the contents of these blue books to the very end of the Session—and they not improbably would, and bring business to a dead-lock. If it could be shown that sound principles of justice required this, then no difficulties ought to stand in the way. But no principles of justice do require it:—it is our business, when facts have been ascertained before a competent tribunal, to determine what ought to be done. My noble Friend (the Marquess of Hartington) gave forcible reasons why the cases of these boroughs should be dealt with singly rather than be mixed up with a Reform Bill; and it is only right to point out that the mode in which it is proposed to deal with these places is inconvenient on many accounts. Upon all former occasions of disfranchisement where there has been corruption established, the proceeding has been by Bill for that special purpose; and it has been shown, on the face of the Act, what were the grounds of disfranchisement. When we arrive at that part of the Reform Bill which deals with these boroughs, if it is not thought right to deal with them by special Act, I hope a special preamble will be introduced stating the grounds of the disfranchisement of these particular boroughs.

MR. YORKE said, he had understood from the hon. and learned Gentleman that in all cases where corrupt practices had prevailed extensively a Commission had been issued.

SIR ROUNDELL PALMER said, that such a Report must have been made as to justify the issue of a Commission. It was for the House to address Her Majesty to issue a Commission.

MR. YORKE said, he wished to point out that last year, from the inquiry which took place, it was shown that corrupt practices had prevailed extensively at the election which took place in 1865 for the borough of Galway. He asked the right hon. Gentleman (Sir George Grey) whether it was his intention to move for a Commission to make inquiry into the circumstances. The right hon. Gentleman said that he was unwilling to move for a Commission to inquire into the corrupt practices, as the Chairman of the Committee did not think fit to do so; but that if any other person moved for it he would assent to it. No Member of the Committee did move for the issuing of a Commission. He wished to know whether it was the right course that the Government of the day should allow the question whether a Commission should issue to depend upon the opinion entertained by the Chair- of the Committee or the zeal of some Member of that body? It appeared to him that it was not right to allow a matter of this kind to depend on what the Chairman or the Members of the Committee might think fit to do.

MR. DARBY GRIFFITH said, he would remind the House that there was another case last year besides that of Galway. He alluded to Bridgwater. He had made an ineffectual attempt to prevent the issue of a writ for that borough. But the right hon. Baronet (Sir George Grey) supported the Motion for the writ. Probably the right hon. Baronet expected to win the seat. Both sides expected to win it. At all events, both sides of the House assented to it, and both had won it one after the other. The Ministerial side had been outbid in that borough. It was not an improper or extravagant assertion to say that in all probability the same means had been employed at Bridgwater as had previously been had recourse to at Yarmouth.

Sir GEORGE GREY said, that in the case of the borough of Galway the Chairman of the Committee objected to move for a Commission because he found that Commissions were not followed by the exercise of the penal powers of the House. He (Sir George Grey) endeavoured to dissuade him from acting on that opinion, but unsuccessfully, and when the hon. Member (Mr. Yorke) applied to him he told him that it was perfectly competent for any Member of the Committee to move for a Commission, and that if that course were acted upon he had no doubt that he should be able to support the Motion made. Such a Motion, however, had never been made by the Government. It was always made by a Member of the Committee, because the Members of the Committee were familiar with the evidence. The practice had been for the Chairman or a Member of the Committee in moving for a Commission to give a short summary of the evidence, to point out the parts that bore most materially upon the question, and upon that to ask the House to issue a Commission. No Member of the Committee had taken that course. Therefore, he ventured to presume that no Member of the Committee thought that a sufficient case had been made out for the issue of a Commission; and he had not felt himself called upon to read the evidence through in order to move for a Commission. The case of Bridgwater was very different. The matter in that case was brought before the House, and one Member of the Committee after another said that though they felt there had been corruption at Bridgwater, yet they were unanimously of opinion that the evidence would not warrant the issuing of a Commission. It was in that case just as competent for the hon. Member for Devizes (Mr. Darby Griffith) as for him (Sir George Grey) to move for a Commission. It was not a matter which rested with the Government.

Colonel FRENCH said, that in the case of Galway the attempt to move for a Commission was not carried out because it was felt that the evidence was not sufficient.

The CHANCELLOR of the EXCHEQUER: If the House wants really to put down bribery and corruption at elections there are two things that it is necessary to insist upon. The first is that the investigation of the Royal Commission shall be conclusive. The second is that the House may be induced—as I hope it will within a few days—to delegate part of their authority whenever there are these allegations of bribery and corruption to assessors, who shall proceed to investigate the matter on the spot. If the House shall adopt these two proposals and adhere to them, I do hope and believe that we shall, if not entirely terminate, at all events greatly limit bribery and corruption.

Mr. SCOURFIELD said, he thought that there was one point to which attention had not been directed, and that was, what was to become of the voters in these corrupt boroughs? Were they, when the boroughs were disfranchised, to enter into the county constituencies? If so, it would place the Members for the counties in rather an unenviable position. He would suggest to those Gentlemen who were so fond of grouping that all the corrupt boroughs should be grouped, and that they should return one Member that was, if there could be found any gentlemen bold enough to canvass them.

Colonel WILSON PATTEN said, that he had seldom been more surprised than he had been by the speech of the hon. and learned Gentleman (Sir Roundell Palmer) when he propounded the opinion that when a Commission went down to investigate the conduct of a borough it was the duty of the inhabitants to go before that Commission and to make their case clear. He (Colonel Wilson Patten) could only say that so far as the inhabitants of Lancaster were concerned they were totally ignorant of this being so. They were summoned before the Commissioners, and they went there like a flock of sheep. As to those 600 inhabitants defending themselves, or offering reasons why their borough should not be disfranchised, they were entirely ignorant that it was their duty or their privilege to do so. The hon. and learned Member warned the House against establishing a bad precedent by admitting counsel—the truth being, that he was establishing a precedent, and that former precedents were all the other way. In former times there was no exception to the rule as he (Colonel Wilson Patten) had stated it. In modern times there was only one precedent, that of St. Albans, for the course now proposed by the Government. Some of the precedents were most forcible the other way. In the case of East Retford the investigation, according to the custom of that day, took place at the Bar of the House, and the examination of witnesses was by Members of the House; therefore, there might then have been some reason for saying that they would not hear counsel. But even under those circumstances it was thought that the parties should not be condemned unheard. What was more, from some cause or other on that occasion East Retford was not disfranchised. The same course was adopted with regard to Penryn, and that place also was not disfranchised. Why, then, was Lancaster to be told that the place should be disfranchised without hearing the parties. He, however, felt that the opinion of the House was against him, and therefore he should not press his Motion; but on a future occasion he should take another opportunity to try to induce the House to review the question.

Motion, by leave, *withdrawn.*

BUNHILL FIELDS BURIAL GROUND BILL.—LEAVE.—FIRST READING.

Mr. CRAWFORD said, he rose for the purpose of asking leave to introduce a Bill for the preservation of Bunhill Fields Burial Ground as an open space, and for other purposes relating thereto. The introduction of the Bill would not be opposed on the part of the Ecclesiastical Commissioners; but he wished to state briefly the nature of its provisions. The Bill would leave the fee of the estate in the Ecclesiastical Commissioners; but the City of London had undertaken to repair the tombs and monumental memorials, and to maintain the burial-ground in proper order as a place of public resort. The Bill did not interfere with any of the matters in dispute between the Commissioners and the City of London respecting rents and other receipts. He was glad that the Bill would not be opposed at its present stage, and he hoped the right hon. Gentleman (Mr. Mowbray) would be able to inform the House that he would not oppose it on the second reading.

Mr. MOWBRAY said, on behalf of the Ecclesiastical Commissioners, that there was no intention to oppose the introduction of the measure. The Commissioners never contemplated devoting the ground to any other purpose than that proposed. At present, however, he had not had an opportunity of reading the Bill, and until he had done so, of course he could not pronounce an opinion upon it. He was glad to hear that his hon. Friend proposed to reserve the questions now pending between the corporation and the Ecclesiastical Commissioners with respect to certain pecuniary claims which the Commissioners thought they had upon the corporation. He wished, however, that the hon. Gentleman was in a position to state that the corporation were willing to accept the proposal which had been made to them for submitting to arbitration all the matters in dispute.

Motion *agreed to.*

Bill for the preservation of Bunhill Fields Burial Ground, in the County of Middlesex, as an open space; and for other purposes, *ordered* to be brought in by Mr. Crawford, Mr. Goschen, Sir Morton Peto, and Mr. Remington Mills.

Bill *presented,* and read the first time. [Bill 107.]

SUNDAY LECTURES BILL.—LEAVE.

FIRST READING.

Viscount AMBERLEY moved for leave to bring in a Bill to amend the Act of 21 *Geo.* III. c. 49, intituled "An Act for preventing certain abuses and profanations on the Lord's Day called Sunday." He said, that he would shortly state the objects of the Bill and the circumstances which, in his opinion, rendered some legislation upon the subject desirable. It would be within the knowledge of many Members of the House, that during the winters of 1865 and 1866 certain lectures, accompanied by sacred music, were delivered in St. Martin's Hall on Sunday evenings. The lectures were given by scientific and literary men; the first by Professor Huxley, followed by Sir John Bowring, Mr. Carpenter, and others. Before many of these lectures had been given, or, he should rather say, before many of these services had been held, notice was given by the chairman of the Lord's Day Observance Society that if these meetings were continued he would prosecute the proprietor of St. Martin's Hall as the keeper of a disorderly house under the Act of *Geo.* III. It was represented to those conducting these services that if such prosecution should deprive the proprietor of the hall of his licence, he would thus lose the income upon which he depended for his livelihood, and the services were therefore put a stop to. In the winter of 1866 they were again begun, and an association was formed, for the purpose of conducting them, but a similar course as on the previous occasion was resorted to by Mr. Baxter, the chairman of the Lord's Day Observance Society. He (Viscount Amberley) made no imputations upon that gentleman, and did not doubt the propriety of the motives by which he was actuated; but he gave notice that if these services were not discontinued he would not only oppose the renewal of the licence to the proprietor of the hall, but would also sue for certain penalties under the Act of *Geo.* III. The services which met with this opposition were of a perfectly decorous and innocuous character. There was a musical performance, and admission was by money; but there was nothing that was in the least degree hostile to existing religious communities, unless, indeed, instruction in the mere facts of science could be looked on as hostile. There was therefore nothing that need have been offensive or abhorrent to any one of these communities. In spite of this, however, under the influence of the notice that had been given by Mr. Baxter, it was found necessary again to discontinue the services, and the last of them was held on the 10th March in this year. In order to render clear how it was that the services were stopped, he would briefly explain the provisions of the Act of *Geo.* III. It was passed in 1781, to prevent places of amusement being opened on Sundays; and to prevent also the discussion of theological matters by incompetent persons. The Act provided that any place of public entertainment or discussion open on Sundays should be deemed disorderly if money were paid at the door, or tickets for admission were sold, and that the keeper of such house should forfeit £200 for every one of these Sunday evenings; the chairman, moderator, or president was to forfeit £100, and any person advertising such an assembly was to forfeit £50. In order to fix upon any person who might be the keeper of the place, it was enacted that any person who should act as such was to be deemed the keeper, and any person might within six months recover the penalties by bringing actions of debt. The circumstances under which the Act was passed were rather peculiar. It was intended mainly to put a stop to a place called Carlisle House, which seemed to have been not only a place of amusement, but a place of immoral character. It was opposed in the House of Commons by two Members, and they went to a division upon the second reading; they were appointed tellers, but they were left in the unfortunate position of having nobody to tell. The Bill went to the House of Lords, and in the House of Lords it was opposed no less strenuously, but equally ineffectually, by Lord Abingdon. It was supported by the Bishops, and, indeed, its real author was a Bishop, and it passed by a large majority. It might be said, in order to prevent the effect of this Act in putting a stop to these services at St. Martin's Hall, that the simplest course was to propose its entire repeal. But to this there were objections. The first object of the Act appeared by the Preamble, which said that—

> "Whereas certain Houses, Rooms, or Places, within the Cities of *London* or *Westminster*, or in the Neighbourhood thereof, have of late frequently been opened for publick Entertainment or Amusement upon the Evening of the Lord's Day, commonly called *Sunday;* and at other Houses, Rooms, or Places, within the said Cities, or in the Neighbourhood thereof, under Pretence of inquiring into religious Doctrines, and explaining Texts of holy Scripture, Debates have frequently been held on the Evening of the Lord's Day, concerning divers Texts of holy Scripture, by Persons unlearned and incompetent to explain the same, to the Corruption of good Morals, and to the great Encouragement of Irreligion and Profaneness."

The next object contemplated by the Act was the suppression of places of amusement in addition to the suppression of such theological discussions as he had referred to. Now, those who opposed that Act laboured under the disadvantage of insisting on a general principle, resting their opposition upon the ground that the Bill was contrary to the principle of religious toleration, whereas the promoters of the measure argued that it was merely framed to meet a particular evil which required a remedy; that, in fact, it was meant to put an end to such practices as were carried on in Carlisle House. That appeared to have out-weighed what was advanced on the other side. In respect to what were called places of amusement, he did not propose to interfere with them. There was, however, a broad distinction between liberty of amusement and liberty of speech. Whether places of amusement should be altogether closed upon the Sunday he did not wish then to express any opinion upon. He believed, however, that the general feeling of the community was in favour of closing places of amusement on the Sunday, and he felt every desire to respect that feeling. There was nothing in this Bill which in the least proposed to alter the law in that respect. It would be a great injustice to those who had been conducting the services in St. Martin's Hall to mix them up in the slightest degree with those who had wished to open places of amusement on Sunday. They did not wish to re-open Carlisle House. They wished to hold meetings for what they considered religious worship, and they wished to conduct that service which most approved itself to their intellect and their conscience. With regard to the liberty of speech, as he had observed, it differed materially from the liberty of amusement. They could not impose any restraint upon the liberty of speech without in some degree trenching upon that toleration now so much enjoyed and so highly valued by Her Majesty's subjects. If they said that ignorant or incompetent persons should not be allowed to carry on theological discussions, there was no power to decide who was ignorant or who was incompetent. The practical effect of an Act so framed was this—that any person however ignorant or incompetent who was able to speak from a pulpit might say what he pleased, but no such toleration would be allowed to those who spoke on religious subjects from a platform. The first object, therefore, contemplated by the Bill was to repeal so much of the Act of 21 *Geo.* III. c. 49 as related to the delivering of lectures, and the holding of public debates or discussions at places where money was paid at the door, or where tickets were sold for admission. Under the provisions of the Bill such lectures and discussions would be permitted. There would exist on Sunday evenings the same guarantee for the maintenance of order and decorum as on any other day of the week. There were, he had been informed, places in London where discussions were carried on on Sunday evening. They were not discussions of an edifying character. They were held in defiance of the law, and the Act of Parliament was unable to reach them. But if a serious or valuable discussion was to take place, it immediately became an object with the Lord's Day Society, and those worthy persons who thought they were charged with the spiritual welfare of their neighbour, to put a stop to such discussion. Therefore, the Act of *Geo.* III. was powerless for good and powerful only for evil. In order that the provisions of this Bill might not be extended to places which Parliament would not be inclined to sanction on the Lord's Day, it was suggested by a legal gentleman whom he had consulted that a clause should be introduced imposing penalties on those who sold refreshments in the room where such lectures or debates were held. There was nothing, therefore, in the Bill which would lead to the opening of places merely for the purpose of entertainment or amusement. He had now explained the provisions of his Bill, and the circumstances which, in his opinion, rendered it important that some such measure should be introduced on the subject. Perhaps he owed some apology to the House for having undertaken at so early a period of his Parliamentary career the responsible task of introducing a measure of this importance. It would have been a source of sincere satisfaction to him if some hon. Gentleman more entitled to command the attention of the House had been willing to undertake this Bill. Especially he would have rejoiced if his hon. Friend the Member for Westminster (Mr. Stuart Mill), who took much interest in the services to which he referred, had undertaken the conduct of the Bill, and had brought to the subject the weight of his authority, and the power of his eloquence. But his hon. Friend not being able to do so, he (Viscount Amberley) thought that he ought not to shrink from what appeared to him to be a public duty. He looked upon this subject as one in which the principle of religious liberty was deeply concerned, and he did not think that that liberty was perfectly secured so long as this vexatious and arbitrary Act was allowed to remain, without alteration or amendment, on the statute book of England.

Mr. BERESFORD HOPE said, he did not rise to oppose the Motion. The question was no doubt an important one, and no one could complain of the manner in which it had been treated by the noble Lord, who with great propriety and clearness had stated the case upon which he proposed to legislate. He (Mr. Beresford Hope), however, thought that this was too serious and too complex a case to be dealt with by the Bill of the noble Lord. He was willing to admit that from the noble Lord's statement there appeared nothing against those — he would not call them services, that would be begging the question, nor would he call them performances — but he would use a neutral term, and he would call them those gatherings in St. Martin's Hall. From what they saw in the newspapers those gatherings seemed to be regular, and there was nothing about them that could raise any objection to them, except the incident of their being held on Sunday. The two questions raised were whether the meetings were services in the sense in which we understood the word, and in any but a non-natural sense; and whether it was right to have meetings that were not services on the Sunday evening. The facts respecting them were at present only *ex parte.* They were brought in the shape of legal proceedings before the magistrate about a month ago. But, as well as he recollected the affair, the magistrate himself appeared to be exceedingly puzzled as to the course he ought to take, and it stood over at that moment without any solution. Under those circumstances, he put it to the noble Lord whether it was exactly fair to attempt to cut the Gordian knot by a measure of this kind. He suggested to the noble Lord the propriety of referring this question to a Select Committee when the whole matter could be gone into. He warranted that a blue book of the evidence taken before a Select Committee on this question would prove a most interesting addition to our social history. They would then be better able to understand the limits of this question, and to determine what the law ought to recognise as religious services on the one hand, and on the other the amount of toleration to be allowed to innocent amusements on the Sunday. Although he had no wish to oppose the first reading of the Bill, he must express his regret that the question should have taken this form rather than that of an inquiry as a preliminary step to its being considered by the House.

Mr. KINNAIRD said, he was in London at the time of those services to which reference had been made, and he took some pains to ascertain what they really were. They were not entitled to be called religious services or religious worship. There was a great crowd. Tickets were sold at the door. That was a species of trading. The only objection to them which the law could take hold of was that in reference to the sale of tickets at the doors. There was as the law now stood nothing to prevent a religious discussion being held on Sunday, provided that it was not made a matter of trade. The proceedings were admirable in their way, and conducted by able men. There were paid musical singers dressed as at concerts which gave the place the appearance of a concert. He concurred with the hon. Member for Stoke in thinking that this question ought to be inquired into by a Select Committee before they proceeded to legislate upon it.

Viscount AMBERLEY said, that the Lord's Day Observance Society had threatened the St. Martin's Hall people to sue for penalties. The effect of their interference was that the services were stopped; but the legality of those services had not as yet been tried. He hoped it might be. He should be glad to hear that a decision had been taken upon it. He acknowledged that there might be some advantage in referring the question to a Select Committee, but could not then pledge himself to do so. In regard to the observations of his hon. Friend (Mr. Kinnaird) that the services in St. Martin's Hall could not have a religious character because money was paid at the door, and because there were paid singers, he (Viscount Amberley) need not remind him that there were several churches in the metropolis in which money was paid at the doors, and where there were paid singers. He admitted that the payment was of a voluntary character. But, as in these churches, there were also free seats in St. Martin's Hall. He had used the term worship in a somewhat broad sense; but those meetings were regarded by those who conducted them as religious services. He did not consider the fact of money being paid at the door sufficient to deprive those houses of the character of places of worship.

Motion *agreed to.*

Bill to amend the Act of the twenty-first year of George the Third, chapter forty-nine, intituled "An Act for preventing certain Abuses and Profanations on the Lord's Day called Sunday," *ordered* to be brought in by Viscount Amberley, Mr. Stuart Mill, and Mr. Coleridge.

Bill *presented,* and read the first time. [Bill 106.]

AGRICULTURAL WOMEN AND CHILDREN.—RESOLUTION.

Mr. DENT said, he rose to call the attention of the House to the sixth Report of the Children's Employment Commission, and to move that, in the opinion of this House, the employment of Women and Children in Agriculture should be regulated, as far as may be, by the principles of the Factory Acts. The Report contained facts of so grave a nature as to the bad results attending the indiscriminate employment of women and children that it became the duty of the House, as it had already been the duty of the Press, to take cognizance of them. In 1843 the Assistant Commissioner appointed by the Poor Law Board touched upon the system of employing women and children in gangs in the agricultural districts. In 1862-3 the medical officers connected with the Privy Council, in their Report upon infant mortality, again alluded to this system. It prevailed in Lincolnshire, Huntingdonshire, Cambridgeshire, Norfolk, Suffolk, and Notts. A gangmaster contracted for the work of the farmer, and was a sort of middleman, often perfectly unfit to undertake such a charge. Under him worked the gang, which consisted of from ten or twelve to 100 women and children of both sexes. This system had been attributed to the existence of large properties and close parishes, on which the labourers were not allowed to live. But it was not entirely consequent upon this state of things, because in the isle of Axholme, where the land was owned principally by small freeholders, women and children were employed "to a greater extent, perhaps, than in any district in the county." The Commissioners estimated that 6,400 persons were employed in public gangs; but there were also private gangs, superintended by one of the farmer's own labourers. An analysis of returns from a number of parishes showed that 1,636 children were employed under the age of thirteen, of whom 871 were males and 765 females; that of young persons between thirteen and eighteen quoted there were 386 males and 536 females; and over eighteen years there were seventy males and 388 women. Mr. White found twenty children employed under the age of seven, and they began work even as early as five or six. Boys and girls of this tender age went five or six miles to their work and the same distance back. In fact, a case was given in which two girls aged respectively eleven and thirteen years had to walk eight miles each day to their work, so that they walked sixteen miles each day, besides working from eight in the morning to five or half past five in the afternoon. In some districts the day's work averaged eight, in others eleven hours, and in some cases these did not include the time occupied in reaching and returning from work. Children were sometimes called up at half past five in the morning, and did not return home till seven or eight o'clock at night. Their wages were in Suffolk as low as *2d.* or *3d.* a day; and one woman stated that—

> "Frank was six years old when he went out. He got 1½*d.* a day the first year, and was raised ½*d.* a day each year. Agnes, seven years old, got *2d.*"

Although the individual wages were small, the aggregate sum earned by women and children was very large. Mr. Hudson, of Castleacre, said that he paid in the year no less than from £700 to £800 to women and children alone. In one district the earnings of a family reached *37s. 6d.*; in another, four or five children earned *14s.* or *15s.*, and in others about *5s.* each. As a rule, the evidence received by the Commissioners was that the children and young persons employed in agricultural operations exhibited the appearance of rude health. But this testimony must not be received without some hesitation. If they examined the Reports of the medical officer of the Privy Council, who was struck with the extraordinary death-rate of infants in these districts, they would be rather startled to find what was the result of the employment of women in public gangs in the field. The great cause assigned by the medical officer for the large infant mortality was the employment of adult women in the manner he had mentioned. In Wisbeach the death-rate of children under one year was the same as in Manchester. In Whittlesea the death-rate was 23, in Spalding 21, and almost an equal amount in Goole. Not only was the result of the system bad with regard to the children, but it produced the most horrible and frightful feelings in the women themselves. The recklessness of human life by these women was something terrible—nay, almost brutal. Young women were often seduced whilst at their employment, and after coming out of the workhouse they lost their children, and the brutality of elder mothers after losing one or two children was something shocking. It was a common remark of the neighbours, after a woman had had one or two children, for them to say amongst themselves when she had another, "Oh, that won't live long"—the prophecy being made the subject of laughter. He could not conceive a more fatal or hardening influence to come over the women of this country. The gang system was spoken of by the Royal Commission as a recent thing. It had only been in existence about twenty years, and arose mainly from the reclamation of large tracts of land from the sea, which now had become, through the ingenuity of our engineers and the energy of our farmers, from mere marsh, the most fertile part of the country. As yet the effects of the system had not been thoroughly felt by the people of this country; but they might depend upon it that if this hardening and cruel influence was allowed to continue and increase it would be hardly possible to conceive the injurious effects it must have on the whole of our future agricultural population. Other medical men, besides the medical officer of the Privy Council, had had their attention directed to the present frightful state of things. A tradesman of Chatteris, in his evidence before the Royal Commissioners, said the death-rate in that district of children under two years was very great. He attributed this to the conduct of the mothers towards their infants, and to the drugging them with opium. He added that out of seventy-two burials in the year, thirty of them were children of one year old and under. However healthy and hardy and strong these women might be, and however admirable labourers the men might make, the system, if continued, must have a considerable effect on the diminution of the population in those districts. In a moral point of view, nothing could be worse than the description they found in the Report of the Royal Commission. He would not quote the evidence of the clergy, knowing the prejudice that existed against them in the minds of some persons. He believed their labours had been, and still were, most meritorious and painstaking in the agricultural districts; but he would quote some of the evidence given by the women themselves and the employers of this description of labour. The first effect of the system on the women was to produce a hard, rude, bold manner, which perfectly unfitted them for all kinds of domestic service. They found that ganging was a more free and independent life. It enabled them to stay out at night, and to spend the Sunday as they pleased, which they frequently did immorally, wildly, and recklessly. The consequence was that it unfitted them hereafter to become good mothers of families or comfortable wives. What possibly could be more uncomfortable or wretched than for a labourer to marry a woman who had never been trained to anything like domestic habits? Such a woman could never make him happy or bring up his children properly. The women themselves admitted that they did not like their daughters to work in the gangs, and that if they remained out too long they did not make good wives. One said it was not fit work for girls, and another that she would rather her girls had to go into the workhouse than join the gangs. The employers of labour themselves condemned the system for girls of tender years, and said they should be glad indeed to see women and girls excluded from the fields. He was inclined to believe that the evil did not arise from the scarcity of male labour in those districts, but rather from the cheapness of female labour. In different parts of Norfolk agricultural wages were as low as 10*s.* or 12*s.* per week, and in other districts he found that the farmers were complaining that the labourers were emigrating because wages were so low, and this lowness of wages was attributed by many persons to the competition of these gangs of women and young children of both sexes. He did not believe there were so many advantages to be gained from female and children's labour in the place of labouring men as some persons supposed. If they put a check upon it the position of the labouring man would be greatly improved without any great expense to the employers of that labour. He was happy to say it appeared from the Report that several large farmers were giving up the public gangs. They also disapproved of large numbers of children working together in private gangs. The Royal Commission had suggested the adoption of several remedies. First, they suggested that no gangmaster or middleman should be allowed to take out gangs without a licence from a magistrate. When they considered that these middle-men were many of them convicted felons and thieves and men who had committed gross and indecent assaults on members of their gangs, all must acknowlege how desirable it was that there should be a check, some hold upon them, that some course should be adopted to ensure as far as possible their respectability. He could not imagine there could be the slightest opposition raised to having the gang-master licensed on the recommendation of one or more of the guardians. His opinion also was that no child should be employed for hire under ten years of age, though some wished to fix it at eight. Some decided restrictions also should be adopted to prevent the sexes from working together, for he left it to hon. Gentlemen who knew the Fen districts which were without hedges or places of shelter, to say, if they mixed the sexes in gangs, what decency or morality they could expect to prevail? He doubted if they could restrict women from working in the fields, but he should like to see young females under seventeen years of age restricted from being employed in public gangs. He should rejoice could all women be prevented from doing so. He thought that eight hours a day, including the time occupied in going to and from work, sufficient for children of from eight to ten years of age. From ten to thirteen he thought ten hours would not be too much. At the age of twelve, from the work being scattered over large districts, the principle of the Factory Act, with regard to the attendance at school, must be left in a measure to the discretion of magistrates. In some places the half-day system, in others alternate days or weeks, might be devoted to labour and education. In others it would be impossible to do this. They might then have to require three or six months' continuous attendance at the school at one time of the year to make up for the continuous labour required of these children at another period of the year—such, for instance, as at harvest time, hop-picking, &c., which were special times, that could not be interfered with or interrupted. Much might be done towards checking the employment of women or children in gangs by improving the dwellings of the labouring classes, and by their being located near the farms on which labourers were required, instead of their having to reside a distance off. The blame in that respect did not wholly lie with the landlords. In some districts, such as the Fen district, where the land had been but recently reclaimed, there had been no opportunity of building the cottages required —a great portion of it not being fitted until lately for the habitation of man. In other districts the farmers were to be blamed as much as the landlords for not having cottages erected on their farms for the labourers, having been anxious to drive them away to save the poor rates; but he believed they were now beginning to appreciate the fact that a labourer who had to walk four or five miles daily to his labour had so much good work taken out of him. Another thing that would in a great measure tend towards removing the evil complained of was better schools and more attention paid to education. Mr. Long, the Assistant Commissioner, stated, in his Report, that children were less worked where there were good schools, and he had found that in almost every instance where there were no day schools these agricultural gangs existed. In the diocese of Norwich there were at the present time no less than 120 parishes in which no day schools existed. With regard to the attendance of children at day schools a portion of their wages might be set aside for their education, when they began to earn wages for themselves, and he suggested that the guardians of the poor should be empowered to pay the whole or a portion of the school fees of the children of an earlier age who attended where they thought it right to do so. That was allowed to be done at present by Mr. Denison's Act as relief to the parents; but as there were many who did not like the idea of receiving relief, even for the education of their children, he should like it to be put on a different footing, and not as relief. He regretted that many hon. Members who resided in the Fen districts and other places where these gangs were employed were not present to give them their opinions and their experience, because he had been told by some persons that they could scarcely believe the evil existed to the extent which had been stated. All he could say was, that the evidence, which had been carefully and fully taken by the Royal Commission, and detailed in the blue book, justified immediate legislation with reference to the public gangs; but whether they should go further as to the employment of children generally in agriculture was not for him to say. With regard to public gangs, there was sufficient evidence upon which to legislate about them and put them under proper and strict regulations. The horrors disclosed in the Report were greater than anything he could possibly have conceived, and worse than anything that had been brought before the notice of the House. He was not disposed to condemn the gang system altogether. There could be no doubt that boys could be worked in the fields with advantage to the employer and the employed; but they must take care that they were not treated as slaves, so as to enable the gang master to make the whole of his income out of the hard work of the boys. They must take care that he was a respectable man, over whom they could have some control. He hoped the House would see it was right and proper that this kind of labour should be confined to males. But if females must go out into the fields to work, they should go out with their fathers and mothers and sisters, and not indiscriminately with both sexes. He was sure that the right hon. Gentleman the Secretary of State (Mr. Walpole) must have had his attention called to this subject before, and he should be glad to find that the right hon. Gentleman would be able to legislate upon it this Session. If not, he hoped the right hon. Gentleman would be able to assure the House that he or his successor would be able to do so next Session.

MR. FAWCETT said, he was glad that this subject had been so ably brought before the House by an hon. Gentleman having such a thoroughly practical knowledge of agriculture. Any one who had read the Report which that Gentleman had referred to must have become convinced of the fact that a more pressing case for immediate legislation was never disclosed to that House. The most melancholy and startling facts had been disclosed; they must feel humbled until something was done. When they passed through the counties of Lincoln, Norfolk, Huntingdon, and Cambridge, and saw the beautiful fields of corn, they must remember that that admirable thing had been produced by sacrificing the minds and bodies of hundreds of children and bringing immense numbers of women to a state of perfect degradation. Were not those counties represented in that House? and how was it they had heard nothing of that before? The hon. Member for Lincolnshire came down to that House and made piteous appeals to the Government to save the country from the murrain which was raging amongst cattle. Why did he not tell them of that which was far more frightful—the sacrificing of the minds and energies of a large class of the people in the country? Could anything bring out more strongly the fact that the interests of those who were not directly represented were too often little regarded? How came it that the Church had told them nothing of that frightful calamity? The cathedral at Peterborough was in the centre of those districts. Often and often from the pulpit of that cathedral had appeals been made for funds to reclaim the heathen in foreign parts, and how did it come that under the very shadow of that beautiful cathedral there existed a degree of ignorance, of immorality, of depravity, which if they found in any foreign country would at once confirm them in saying, "this is indeed a country devoid of the blessings of civilization?" He had had many letters on the subject. One clergyman told him that as the archdeacon of the diocese and himself were riding along one day they saw several gangs of men, women, and children working together, and the women as these gentlemen were passing committed a gross act of immorality, which he could not mention in that House. How was it that they never heard of such a state of things before? What he wished to point out to the House, as showing the necessity for prompt legislation, was the primary cause of the evil—namely, the utter want of cottages in those districts. If they wanted to remedy the evil they must interpose every obstacle in the way of the gang system. The building of cottages would take some time, which was in itself an argument for immediate legislation, and there was another argument on which he would appeal to their generosity. The gang system was the natural but unfortunate offspring of unjust legislation in past years. The future historian of this country would have to write a melancholy page when it became his duty to describe the evils which had resulted from the Law of Settlement, which was one of the most obnoxious laws that had ever disgraced the statute book. The first effect of that law had been to throw the burden of supporting the poor upon the parishes in which they were born, and many landlords thought that if they built no cottages on their estates, but imported labourers from other parishes, they would escape their due and just share in supporting the poor. In the counties to which he had referred large tracts of land were reclaimed fifty or sixty years ago. There were of course no cottages on such estates when enclosed, and in order to escape the poor rates those who reclaimed and enclosed the land seemed to have agreed among themselves not to build cottages at all, which was really the cause of the gang system. There were in the district of the Deeping Fen farms of 300 acres and upwards on which there was not a single cottage to be found. He only wished that the names of the landowners of such farms had been published by the Commissioners, so that they might be held up to the scorn and contempt of the world. It might be said that if they placed any impediments upon this gang system they would destroy it altogether. That was exactly what he should like to see done —and by destroying it and building cottages it was his opinion that they would ultimately confer great advantages upon the landowners themselves. He agreed in many of the proposals which had been made to remedy the evil by the hon. Member for Scarborough (Mr. Dent); but he would go further than that hon. Member, and urge that no child under thirteen years of age should be employed in such gangs. As for the gang master, he should be compelled to take out a license, and one condition should be that no children or young persons should be employed, which would go far to put an end to the system, for a careful scrutiny of the Commissioners' Report would show that it was by exhausting the strength of the poor helpless children, who could not defend themselves, that the gang master made his profit. Who could say that by the abolition of such a dreadful system altogether they would not confer a benefit upon the landowner? Was he benefited by it? Suppose a farmer were forbidden the use of stables upon his farm, and his horses had to travel five or six miles before they reached the fields in which they were to work, would not the farmer complain that their strength was to some degree exhausted, and would it not form a great grievance as against the landlords? Yet these poor workers often had to walk six or seven miles to their labour, and was it not of greater importance that the strength of the labourers should be unexhausted than that of his cattle? What strength could these poor children have left to work after such a walk? There was every reason indeed to believe that the building of suitable cottages for farm labourers, so far from being a burden, would prove remunerative. Lord Leicester, in a remarkable speech, had detailed his experience of the result of building cottages. He told the tenant farmers that if they wished to farm with success they must have good cottages, and he expressed his belief that if the experiment were tried, farmers within ten years would care more about having good cottages on their farms than they would about good stables or a reduction of rent. The Legislature, therefore, in abolishing this system, and compelling the landowners to build cottages, would in effect confer an equal benefit upon landlords and tenant farmers. But this gang system was after all only a branch of a much wider question, that of the education of the agricultural labourers. The Commissioners had incidentally remarked that the ignorance manifested by those employed in gangs too often represented the general ignorance of the agricultural labourer, and that was true, because no skilled artizan or well-instructed labourer would allow his children to join such gangs, and they were made up of the sweeping and refuse of large towns and the rural districts. Since he first brought the subject before the House he had received communications from all parts of the country, which fully convinced him that the only way to remedy the evil was to endeavour as much as possible to dispel the ignorance which reigned among agricultural labourers, in consequence of which he had endeavoured to incorporate the educational clause of the Factory Act with the Bill so far as it could be made to apply. He did not think the difficulty of dealing with the question was so great as was anticipated, because they would have the sympathy of all the clergy and landed gentry enlisted in their favour. It might be said that if they employed children under thirteen years of age only on alternate days or weeks, they would have to employ adults. Making due allowance for that, he did not believe, from the calculations made, that on a farm of 1,000 acres the increased cost would be more than £20 per annum, which was a very trifling sum to be put in the balance compared with the benefits to be derived from the improved education of such children. That £20 would not be money lost, or unprofitably spent, but would rather be of the character of an investment of capital, the profit of which could not be over-estimated. He could hardly venture to predict the extent to which the wealth of the country would be increased, its prosperity augmented, or the greatness of the nation stimulated by the formation of an educated and skilled class of agricultural labourers. The other day the right hon. Gentleman (Mr. Gladstone) pointed with solemn warning to the Treasury Bench, and asked whether the Government were going to enfranchise the agricultural labourer. He did not share the right hon. Gentleman's alarm, but what a sarcasm was that upon past legislation. What a stimulus to future effort when such words could be addressed to the House with reference to a class spread over the length and breadth of the land, whose labour was the prime source of all its wealth, but who stood so low in the social scale, in consequence of their poverty and ignorance, that the right hon. Gentleman should express astonishment and dread at a proposal to enfranchise them, and give to a few thousands a direct voice in that Legislature by the action of which alone they could hope to improve their condition.

MR. A. PEEL said, that all who were interested in the condition of the labourer must feel grateful to the hon. Member for

Scarborough (Mr. Dent) for the manner in which he had brought this subject before the House on that occasion. In considering this question it must not be forgotten that the provisions for education in towns were more numerous than in the country where there was a sparse and scanty population of agricultural labourers spread over a large district. Therefore, it would be impossible to apply the provisions of the Factory Acts to the children of agricultural labourers unless they were considerably modified. Agricultural employment was of a very peremptory and yet of a very desultory character. It had, therefore, been suggested that the children should work during one half and be taught during the other half of the year. But if such a system were to be adopted, it would be found that the children would forget in one six months all that they had been taught during the previous six months, and therefore, in his opinion, the alternate-day or half-day system was the best compromise that could be come to. One touching argument that had been used on behalf of the agricultural children was that, whereas the adult labourer saved and economised his strength, and took care not to overwork himself, the child, in its innocence and unselfishness, tasked its feeble strength to the utmost. The House was therefore called upon to protect the child from the consequences of its own unselfishness. He wished to draw the attention of the right hon. Gentleman (Mr. Walpole) to a particular kind of labour, something akin to the agricultural gang system that had come under his especial observation—namely, what was called the coprolite gathering and manufacture, in which a large number of women and children were employed, in the counties of Bedford and Cambridge. He had made some notes of the state of things in two of those coprolite mills. In the first, which was a small mill, thirty-five men, women, and children were employed, among whom were three female children from five to seven, and three from eight to ten years of age. The education of all these labourers was on the whole fair. The second case was of a very different nature. In that mill, which was a large one, 196 men, women, and children were employed, of whom twenty were women, twenty-six were children of from five to seven, and twenty-three from eight to ten years of age. Of the 196 individuals ninety-one could read, but only forty-eight could read and write, and their education was of the very lowest and most imperfect character. The coprolites were first dug out of the earth by means of a pick, and then were gathered up and taken to the mill, where the women and children were employed in selecting the true from the false coprolites, in doing which it was necessary to use water. The coprolites when chymically treated, washed, and ground, furnished the best superphosphate of lime, was exported to Germany and used by our own agriculturists. To revert to the gang system. He had seen instances of tyranny on the part of the gang masters towards those under them which would make one's blood run cold. It was imperatively necessary that the gang masters should be required to have a certificate, and there should also be a proviso that they should not be publicans or innkeepers, otherwise all the evils of the truck system would be revived. He had seen men at the end of the week going for their wages, and instead of receiving money for their labour they were obliged to truck or barter, mostly for drink sold at a price fixed at the discretion of the gang master. He therefore hoped that that fact would be kept in view in any legislation which might take place on that question. The subject of education was intimately connected with that of the employment of women and children in agricultural gangs; but there was one kind of mis-named education by which the House ought not to suffer itself to be misled. At the town of Luton, in Bedfordshire, the great head-quarters of the straw-platting trade, there were so-called platting-schools, in which the worst tyranny was practised in regard to the exaction of youthful labour for the sake of trade, with the least possible reference to any educational training whatever. The inspector of that district mentioned thirty-three of these schools in which straw platting and reading were supposed to be combined. Of the 1,015 children attending those thirty-three schools he classed the whole of them in the category of children who were deprived of the benefits of education owing to the demands of labour. Those "schools" were nothing less than low, hideous, damp, and fetid factories; and it was to be hoped they would be brought within the scope of the proposed beneficent legislation. He trusted the House would endeavour to protect those who could not protect themselves from the double danger to which they were exposed—first, from the danger of missing all, or nearly all, the advantages of education; and secondly, from the tyrannical exaction of what little residue of health and strength they possessed.

MR. POWELL said, he much regretted that the hon. Member for Brighton (Mr. Fawcett) should have taken advantage of that occasion in order to make remarks hostile to a large class of English society—namely, the clergy and the owners of land. The hon. Gentleman had also thought fit to re-open the question of the cattle plague, which certainly had no relation to the present discussion, and the introduction of which could not possibly facilitate legislation in reference to organized gangs. All who had read the Report of the Commissioners must have observed the extreme anxiety evinced by the clergy to put an end at once to every evil connected with the gang system. The hon. Member also must have been unhappy in his acquaintance if he had not found that there now existed a widespread desire among the country gentlemen to ameliorate the condition of those who lived on their estates, and to provide better dwellings for the families of labouring men, who were unfortunately too often ill-housed. Very few were aware of what was recorded in the ghastly pages of the Report referred to. It was only by exacting severe labour from children that a profit about equal to that of ordinary day labour could be made by those who led these gangs. Human nature being what it was, great cruelty and hardship would frequently be inflicted by these men upon those under them. The Rev. Henry M'Kenzie, rector of Tydd St. Mary, in his evidence, described the evil effects of the employment of women in field work, enumerating among them—

> "The loss of self-respect, dirty and degraded habits, slovenly and slatternly households, the alienation of husbands by the discomfort of their homes, the great neglect of the education of children, drunkenness among the men, and the consumption of opium among the women. The evil effects of employing girls in that manner comprised first, boldness, next ignorance, then unchastity, want of cleanliness, incompetency in sewing, mending, cooking, and other household work, indifference to parental control, and unwillingness to apply themselves to any regular employment to gain a livelihood."

What were the causes? The state of the law previous to the passing of the Union Chargeability Act had a great deal to do with the matter; and all who had aided in carrying that measure must be delighted to find that it was already helping forward the improvement of the condition of the people. Another cause was that in textile manufactures the material being once procured, operations could be carried on at any time. But agriculture was dependent on the weather and the seasons of the year. Periodically, therefore, there was a great demand for labour all over the country, and at other times scarcely any such demand. Migratory labour was, consequently, necessary for agricultural operations. It was well known that bands of humble Irishmen came from their own country to gather in the harvests of our Northern counties. Still, though migratory labour could not be entirely done away with, attention ought to be directed to the best means of regulating it and preventing the mischiefs arising from it. Another cause of the evils which had been referred to was the low moral tone which undoubtedly existed in some parts of the country. The evidence contained in the sixth Report of the Children's Employment Commission disclosed that lowness of wages was not the cause, for that parents in the receipt of £4 per week sent their children to labour in these gangs. It was not therefore so much a question of necessity as of will and inclination. The remedy for these evils might be divided into two classes—the one self-acting, and the other dependent upon legislation. In the first class might be included the multiplication of houses, which would bring the children nearer to their work. Next, an improved cultivation of the land, whereby it would become better cleaned. One witness said that the quantity of weeds growing upon the Fen land was becoming less every year. Another remedy in this class was the introduction of machines to do the work now performed by children. Parliament must legislate on this subject, but should proceed with caution. It was stated in the Report that, in many districts, the condition of the labouring class was so good, that they declined to employ their children in the gangs. If Parliament were too severe in its legislation, and attempted wholly to suppress the system, he feared that it would re-appear in some shape which would evade legislation, and which it would be difficult to bring into order. The hours of labour must be restricted, and if so, it would be necessary in the same Act of Parliament to impose some educational provision for the hours gained from labour, or the young people would be exposed to dangers from which they were now exempt. He doubted the possibility of adopting the half-time system, or even the alternate day or week system, owing to the urgency arising from our fluctuating climate. Still, he thought it would not be very difficult to devise a scheme which would secure some education to the children. Legislation must be uniform; he did not think it could be left to the option of the different localities. If a licence were to be given to the masters of gangs, it must be given under stringent conditions, after due investigation into the character of the applicant, and taken away promptly in cases of misconduct. He trusted that the right hon. Gentleman (Mr. Walpole) would remember that the whole question of agricultural labour should be gone into.

Mr. READ said, that all must acknowledge the moderation and fairness with which the hon. Member for Scarborough (Mr. Dent) had introduced this subject. He went a long way with the hon. Member in condemning the evils of the gang system, and in many of the remedies he proposed. He did not, however, believe that public gangs were so numerous as they used to be, and bad as they were at the present time, they were much worse a few years since. He could endorse the truth of the statement made by the hon. Member for Warwick (Mr. A. Peel) that it was customary a few years ago for the head of the gang to keep a public-house or general shop, and to pay the wages in drink, &c. He agreed that mixed public gangs were an unmixed public evil. By all means let them license the master, separate the sexes, and limit the distance of walking to the place of work, but let the House be reasonable and moderate. Let them keep out boys under nine from the gangs, and girls under thirteen, but not go the length of some of the recommendations contained in the Report, one of which was that all the females under eighteen should be excluded, and another that no women should be allowed to work in these gangs. In this free country it would not be well to put this fetter upon free labour. There was a difficulty in providing employment for females of all classes, and there was a growing superabundance of women in agricultural districts, owing to the migration of the men into towns, and the numbers of those who left this country for foreign shores. Many young women, if not employed in this way, would grow up in idleness. It was all very well to say that they ought to be employed as domestic servants; but if they did not wish to be so employed, Parliament would not be justified in depriving them of one description of labour in order to force upon them another. Then it was said that field work was detrimental to the refinement and delicacy of women. It did not, however, follow that because they were coarse and rough that they were also immodest and immoral. He believed that female immorality was not unknown either in manufacturing towns, in farm kitchens, or the servants' halls of the "upper ten thousand." The mixture of boys and girls in field labour was not an evil so great as the crowded state of the cottages, for when young persons of both sexes herded together in the same bed-room, they grew up with no sense of decency or delicacy. It was singular that the arguments stated to be used by the mothers against allowing their daughters to work in the gangs were the same which were used to himself when he asked the reason why they did not send their children to school. A woman told him one of her daughters caught a fever at school and died, and on no account would she send another. A second said her daughter caught rheumatism from the cold and wet of the journey. A third said her girl got into bad company, which did her more harm than the school did her good. With regard to the causes of the ganging system, sixty years ago the land which in Norfolk was tenanted only by rabbits and bustards, and which in Lincolnshire produced only the wild duck, the bittern, and the snipe, was now covered with fleecy flocks and waving corn. There were neat farm buildings and good roads, but not many cottages. The question in those days was not how to get labour, but how to employ it, and he must bear his testimony to the way in which the landowners were building cottages. Every farmer would gladly pay 5 per cent for a judicious outlay of this kind. The employer of agricultural labour was treated, as a rule, in a very different manner from that in which the employer of manufacturing labour was treated. The manufacturer might shut up his mill or work half time without his conduct exposing him to remark; but a farmer could not cease growing corn, or be stingy about the employment of labour without being reproached with not being a good citizen. The farmer, indeed, was driven to the employment of these gangs, and did not employ them as a matter of choice. No labour, in his opinion, was so bad or so costly as this kind of labour, and he assured the hon. Member for Scarborough that the gang system did not supplant good manual labour, and that it in fact only existed where that real and good labour could not be obtained. The hon. Member for Cambridge (Mr. Powell) had suggested that improved machinery might supersede the necessity of employing these women and children. But there were some things that machinery could not do and never would be able to do which manual labour alone could perform, and this was especially the case in some departments of agriculture. In manufacture machinery was employed for working on material in a uniformly good and excellent condition; but in agriculture it was very different, and the farmer had to contend against different descriptions of land and weather as well as different descriptions of crops. He did not, however, believe that if properly managed, these gangs were altogether bad. It would too, he thought, be a mistake to keep the agricultural labourer too long at school. Boys kept at school until they were thirteen or fourteen years of age might make very good indoor servants, but they required the hardy training which could only be gained from an outdoor employment while young, to qualify them for the work of agricultural labourers. Strong muscles and sturdy health were necessary, and the rural clergy whose opinions were entitled to every respect, were of this opinion. The intermittent system of education might be very easy in the case of farmers living near the manufacturing towns, where relays of boys could easily be obtained, but in the purely rural parishes it would be found more difficult to adopt such a system. Inspection was indispensable in the case of gangs or any description of field work where boys were employed. They had a saying in Norfolk to the effect that one boy was equal to half a man, two boys to half a boy, and three boys to no boy at all.

Mr. W. E. FORSTER said, he thought the debate of that evening must convince the House of the progress that had of late years taken place in the minds of the public on this question. The exceedingly moderate and excellent tone of the hon. Member who had just sat down, and who, as they all knew, sat in that House as the representative of the farmers, was in itself a proof of that fact, for in all attempts to improve the condition of the juvenile or female labour, the opposition to the improvement had invariably come from the employers of that labour. The hon. Member, however, evidently felt that the case presented to the House was so strong that he did not pretend to oppose legislation on the subject, but simply to direct the manner in which that legislation should be applied. He rose—without any practical knowledge on the subject, and judging merely from the Report—to suggest that the matter should not be legislated upon without further information. The Report of the Commissioners proved that no sufficient reasons had been advanced for allowing bodies of girls to work in public gangs; but he agreed with the hon. Gentleman that premature legislation ought not to take place. The House ought to have some information with reference to private as well as to public gangs, otherwise the effect might be simply to lessen one evil by promoting another. In any case it would not, he believed, be possible, or, at all events, advisable, in respect to education, to apply the provisions of the Factory Acts to this kind of labour. Still, the public would not much longer remain quiet while the children of the agricultural labourers of this country were allowed to grow up untaught or certainly less educated than children engaged in other employments. Speaking from his experience of factory legislation, he trusted his right hon. Friend (Mr. Walpole) would not legislate on this subject without providing for ample inspection, without which all enactments would be useless. Even delay was preferable to more speedy legislation if that delay resulted in a more complete and useful measure.

Mr. GREENE said, he tendered his thanks to the hon. Member for Scarborough for having introduced this question. As the farmer of a large estate, and one practically interested in agriculture, he could indorse much that had been said as to the state of the agricultural population; but he must remind the House that the question had its bright as well as its dark side. He could not subscribe to all that had been said that evening as to the condition of agricultural labourers. He believed that their progress, both morally and physically, would compare with that of those of many of the manufacturing districts. He cordially assented to the proposal that women should not be employed in the fields until they were at least seventeen years of age, because then he believed they would never be employed at all. Field labour unfitted girls for domestic service, and induced immorality, and on these accounts the question peremptorily demanded attention. The employment of boys also required regulating. There was no intermission of the labour of boys, so numerous were the jobs to which they were put. Although Englishmen were averse to compulsory measures, he thought it would be well to forbid the employment of a boy who could not read or write ; indeed, without such a regulation he thought it would be impossible to get the poor properly educated. On making inquiry he found that scarcely any of the boys on his farm could read or write. He sent them to an evening school ; but that had remedied the evil as far as his farm only was concerned. He thought it a mistake to suppose that field labour hurt young people physically. The evil was a moral one ; and in gangs, of which he knew little, he presumed it was to be found in the indiscriminate mixture of boys and girls. He had found that female labourers might be dispensed with. With regard to cottages, it was clearly the interest of the landowner to build them. He always provided not less than three rooms where there were both sexes in a family. He thought the condition of the rural districts was not quite so black as it had been painted. As an instance he might mention that in his own neighbourhood a tenant farmer had presented a reading-room, for the use of the labourers of the parish. He objected to agricultural employments being tacked on to the Factory Acts ; but he believed a separate measure might be framed which, while no hardship to the farmers, would be of great advantage to the labourers.

Mr. WALPOLE said, he agreed with the hon. Member, that they could not deal with field labour in the same way as with labour in factories. The Report which had been referred to related only to public or to organized gangs of labour. The hon. Member for Scarborough (Mr. Dent), who had brought the subject so ably and clearly before them, desired legislation for women and children employed in agriculture as if they were employed in factories. His opinion was that if they attempted to legislate in that manner they would not be able to follow it out. He cordially assented to the Resolution which the hon. Gentleman had moved, on the understanding that it did not imply that the employment of women and children should be placed under the same regulations as factories, but that the principles of the Factory Acts should be applied to it as far as practicable. Whether immediate legislation could be founded upon the Resolution was open to doubt, for only public or organized gangs had yet been reported on, although the evils attending private gangs were equally great. He had considered the subject a good deal since reading the sixth Report of the Royal Commissioners. The number of women and children employed in public gangs was much less than the number employed in private gangs. There were about 6,400 employed in public gangs, and—according to the best information he had—nearly 20,000 in private gangs. He wished to impress on the House and hon. Gentlemen opposite, that if they attempted to legislate for public gangs before they had information as to private gangs they would find themselves in a great difficulty ; for if they legislated for the one and not the other, the gangs being frequently in close proximity, they would drive the women and children from the one to the other. The time, therefore, had hardly arrived for legislating on the subject. He had ascertained that Mr. Tremenheere was of opinion that the inquiry ought to be extended to private gangs. He thought, therefore, the best plan would be to re-appoint the Commission for that purpose. The inquiry could probably be completed by the end of the autumn or beginning of the winter, and the House would then be in a position to legislate with regard to the employment of women and children in gangs of any kind. Whether the employment of women and children in agriculture generally could be regulated was a larger and more difficult question, which must, he thought, be postponed to a later period. In the meantime, he heartily supported the Resolution proposed by the hon. Member for Scarborough.

Sir HARRY VERNEY said, he regretted that immediate legislation was not instituted, since he thought the Commissioners had already reported on private gangs, and on the general employment of women and children in agriculture, and that their Report presented ample materials for Parliamentary action. Some of the evidence which had been taken was in favour of compulsory education, and there might be some stipulation with respect to the age and acquirements of children allowed to labour. Parliament certainly ought not to permit another year to pass without ameliorating the disgraceful and indecent state of things which existed in some parts of the country.

Mr. NEWDEGATE said, he must remind the House, as to building cottages in the fens of Lincolnshire, that it was only in recent years that the fens had been rendered habitable. Formerly the miasma was so bad that farmers who resided in the districts died of ague. Recently drainage had been carried out to a great extent, and the water during the hot weather was forced up the drains, and in that way the miasma was dissipated, or sufficiently so to render the district habitable. The remarks of the hon. Member for Brighton (Mr. Fawcett) upon the landowners for not building houses were totally misapplied. At the same time, he was far from saying that some restraint should not be placed on the gang system. If it were to be allowed to prevail it would have to be regulated in the same way as labour was in mines and potteries. The evils were the result of the new system of farming. Under the old system of agriculture the farmer was identified with his labourers by ties of neighbourhood and of instruction in farming, but the modern system was based upon economical principles and looked chiefly, if not only, to profits. The gang system, therefore, was of recent growth, and though it might have advantages, it had many evils. He was glad that the question had been brought under discussion, and hoped some good would be the result.

Mr. DENT said, he had felt much gratification at the recognition of the evil by practical agriculturalists on both sides of the House. He left it to the Government to determine whether or not they had sufficient information to justify legislation, only trusting that whenever a measure was introduced it would deal with the whole question of the employment of women and children in agriculture.

Resolution *agreed to.*

Resolved, That, in the opinion of this House, the employment of Women and Children in Agriculture should be regulated, as far as may be, by the principles of the Factory Acts.—(*Mr. Dent.*)

RAILWAY COMPANIES DEBENTURE DEBT.—RESOLUTION.

Mr. CRAWFORD *: Sir, I rise to move the following Resolution:—

> "That it is expedient in the interests of the public, that in cases where adequate security can be given, the State should assume the responsibility of the Debenture Debt of Railway Companies unable to meet their engagements, upon conditions providing for the eventual acquisition of such Railways by the State, upon terms of mutual advantage to the State and to the Railway Companies."

I am about to bring under the consideration of the House this evening one of the most important subjects that can engage its attention at the present time; and, in order to do so in a concise form, I have placed on the paper a notice, which I think raises the question, clearly and distinctly, as to the course which legislation should take, with reference to the general subject of railways under present circumstances. The magnitude of the question, and the multiplicity of the several interests involved, will be at once my plea and justification for seeking to engage the attention of the House on this occasion. I have myself no interest whatever in the question; for largely though I have been engaged for many years past in the prosecution of railway enterprize in other parts of the world, I do not happen at any time to have been concerned in the management of any railway lines in the United Kingdom; and further, I have no personal interest in any such railway company. I hold neither share nor debenture bond in any; in short, I have no interest of a personal character, immediate or remote, direct or indirect, in the question. But I have been led to investigate and consider the subject carefully, by the fact that I live, and move, and have my being, amongst a great community, whose political confidence I possess, and who, perhaps, beyond any other community in this country, has the deepest interest in our railway system. I wish, therefore, clearly to state beforehand, that the consideration which governs me in this matter is the public interest, and that alone. However much companies may have suffered, however much the individuals composing those companies may have suffered, however much the holders of debenture bonds or other railway securities generally may have suffered, I am not here to advocate their private interests. I wish to regard the question solely from a public point of view, in reference to the fact, that railways were constructed under the authority of the State for the service of the public, and therefore that it behoves Parliament to see that the advantages which railways were intended to confer on the community are not frittered away by mismanagement. Every other consideration should, in my humble opinion, be subordinate to that. *Salus populi suprema lex.*

Now, Sir, the proposition which I have to submit to the House involves two suggestions. The one is, that the State shall, under certain circumstances, assume the responsibility of the debenture debt of railway companies; the other is, that it shall do so upon conditions which provide for the eventual acquisition of such railways by the State; and to both of these propositions a subordinate condition is annexed; first, that in every case where assistance is given by the State, the company assisted shall furnish adequate security; and secondly, that the terms, under which the State may acquire in the course of years the ownership of the railway, shall be terms of mutual advantage to the public and to the railway companies. Both of these propositions I am prepared to maintain, and my object now will be to explain the manner in which I think Parliament may—not perhaps immediately, but at some future time—make arrangements for carrying them into effect. It may be asked why I have chosen to take the course of proceeding by way of Resolution, when it might be more convenient if I were to ask the House to give me leave to lay a Bill upon the table. But it is no easy matter to draw a Bill, even with a single clause in it, so as to meet the general concurrence of the House, as my hon. Friend the Member for York (Mr. Leeman) no doubt has experienced. My Bill, if I were to produce one, must be a Bill of prodigious magnitude, and must have been drawn up with a thorough knowledge of the relations which exist between the different Departments of the Government and the subject of the proposed Bill. And even if I had possessed the requisite knowledge, I could hardly have gone to the expense of preparing such a Bill, for hon. Gentlemen know well that a Bill of this character is not to be drawn without a large number of Bills of another kind coming on the back of it. Then it may be asked why I have not waited for the Report of the Royal Commission on the subject of railways generally. My answer is that I do not know when that Report is likely to be presented, nor what its terms will be when presented; it would be deferring the subject to an unknown period if I were to wait until the Report of that Commission has been placed upon the table. I think it better, therefore, to submit at once to the House, clearly and distinctly, the proposal which I wish to bring under its notice. But perhaps it may be convenient first to inquire for a moment or two into the meaning of the term "railway system." What does our railway system imply; what does it signify? What is this immense machine by means of which the whole intercourse of the country is carried on? Sir, I hold in my hand the last Annual Report from the Board of Trade on the subject of railways. It is for the year 1865. I have carefully examined that Report, not with a view to the present Motion only, but with reference to the general question and the public interest it involves; and perhaps the House may derive instructive information from some of the figures contained in it. I will read those figures to show the extent to which our national interests are at present bound up with our railway system. On the 31st December, 1865, the whole capital embarked in railway undertakings in the United Kingdom amounted to £455,478,143. Of that sum £357,657,046 was composed of share capital, and £97,821,097 of debenture and other loans. In England and Wales the share and stock capital amounted to £299,184,751, and the debenture loans to £80,420,076. In Scotland the share capital amounted to £38,569,767, the debenture loans to £11,636,265; and in Ireland there were £19,902,528 of share and stock capital, and £5,764,756 of debenture loans. The number of miles over which railway lines extended was 13,289. We now come to a fact which will perhaps astonish hon. Members. It is the extent to which railway locomotion is made use of by the people of these islands. In the year 1865 there were carried upon these lines no less than 252,000,000 of people—that is to say, about 700,000 persons were carried every day over some one or other of these lines — a circumstance which amounts to this, that every man, woman, and child in the country made on an average eight journeys of more or less extent by railway in the year 1865. From that we may derive some idea of the enormous extent to which railway communication has become a matter of daily necessity amongst us. I might also give the House figures as to the quantity of live stock, minerals, and general merchandize carried by railways, but hon. Members will be able to ascertain these things for themselves. I will merely state that 78,000,000 tons of minerals are annually carried by railways—a fact indicating the enormous extent to which the manufacturing interest and the consumers of coal for domestic purposes are dependent upon railways. The whole sum received for passengers and goods during the year 1865 was £35,890,113. With that information before the House it will be readily conceived what a vast effect upon the national interests would be produced by the cessation of working or stoppage of any one of the principal lines of the system. This may be a tempting opportunity for entering into a review of our railway legislation from the earliest period; but I will not take up the time of the House by doing so. It will be sufficient for my purpose to say that, in the opinion of many persons competent to judge, Parliament has legislated upon no fixed principles. There has been a sort of fortuitous legislation dependent on the composition of Committees, the intelligence of counsel, the activity of agents, and a variety of other circumstances, all of which, if we could have seen our way at an earlier period, ought to have been made subordinate to the carrying out of a general scheme upon principles applicable to the whole country. A system of that kind we have never yet arrived at; but, although we have not done so, I do believe that the time is coming when we may, to a certain extent, be able to take those steps in that direction which ought to have been taken at an earlier period. Dealing with legislation in an experimental form, we have benefited foreign nations and other people to a much greater extent than ourselves. We have been the pioneers of railway enterprize; other nations have seen our mistakes and adopted wiser courses. There is one point which I apprehend must be admitted on all hands. On the inception of railway legislation, five-and-thirty years ago, it was not a wise proceeding for Parliament to authorize a number of private persons, forming a company, to take the lands of A and B, and hold them in their possession to all eternity. The wiser course would have been to have allowed these persons to acquire a sort of Parliamentary lease for a long term of years. In point of fact, we ought to have adopted the system which our experience has suggested to the French and other nations of granting long but still limited leases to railway companies of the lands taken under compulsory powers from individuals for the construction of these public works. Another great error into which we fell in the course of our legislation was to leave so large an amount of capital, about to be sunk in a fixed undertaking, to be raised in the form of short debentures. What could be more unwise, or more unsafe as is now found by practical experience, than to permit about £100,000,000 to be invested in railway works, in a form which renders it necessary for those who borrow the money in that shape to be constantly, I may say almost hourly, coming before the public for a renewal of their loans? This was all very well when the horizon was clear, when there was an abundance of money in the market, and, above all, when confidence was undisturbed and people wished for such securities. But times would come—and we are now, I believe, in one of those times — when the same facilities for obtaining money do not exist, and when difficulties take their place, with which it is almost impossible to cope. There were some reasons, no doubt, why such a large amount of capital was allowed to be raised in so exceptional a form. One reason was that a debenture was a form of investment which trustees and other persons could take who were precluded from holding shares because of the risk. Another reason was the expectation that the profits upon railways would be so large that a limited amount of interest payable upon debentures would leave a proportionately larger sum to be divided upon the capital stock of the company. But, however that might be, that reason has now fallen to the ground, for, with very few and rare exceptions, debentures may be said to pay a better interest than the stock of the companies. Another mistake into which the Legislature has fallen is this—that there is nowhere to be found a clear definition of working expenses, that is to say, nothing to define the charges, which ought to go to make up the working expenses of a company, before you arrive at the profit upon which the debenture interest forms the first charge. The definition of what is proper working expenditure is a disputed point. Of course, there are the obvious charges for conducting the business of the company, about which there can be no dispute. But then there come other considerations such as the Queen's taxes and local taxes; then there are compensations and charges of a very debateable character in the form of the rent paid for leased lines. This last point is difficult to deal with, from the fact that leased lines may be held by the companies leasing them under circumstances differing in different companies. For instance, if a company leases a line, which is simply a branch line, then it may not be a very difficult thing to estimate the claim which is to be charged on the working expenses. But in the case of such a line as the "Mid-Kent," leased to the London, Chatham, and Dover Company, and which forms a link in the main chain of its communication, it is a very different thing. That line, in fact, forms an integral part of the main line, and if it were severed from or taken out of the main line the traffic could not be carried on. Upon the subject of debenture securities, I wish to quote a few words from the recent celebrated judgment delivered by Lord Cairns—

> "Although I have arrived at the opinion which I have expressed without hesitation, I cannot avoid feeling regret that securities such as railway debentures, upon which so many millions of money have been invested, should have been left at their creation in a state to admit of so much argument as that which has taken place in this case, and that their legal operation and extent should come to be defined not at the time when they have been given as security, but after difficulties have arisen in their repayment."

I quote these words as illustrating the want of forethought and consideration for the future, which has characterized all the railway legislation of this country. There are a variety of ways in which short debentures operate unfavourably upon various interests; but I do not imagine that there is any interest which suffers more than that of the Government itself. Formerly the Chancellor of the Exchequer had no difficulty in floating £40,000,000 of Exchequer bills in the market, whereas now he can rarely float £10,000,000, because of the demand for money on the part of railway companies to renew their debentures constantly falling due. The Government suffer; the public suffer; and the shareholders suffer; and therefore it seems to me, that one of the objects which we ought to have in view is, if possible, to frame such a new system of legislation, with reference to railway capital, as shall remove, as far as possible, the future probability of difficulty arising from this constantly-recurring necessity. Now, the present position of our railway companies is becoming exceedingly serious. There is no disguising the fact; it is in everybody's mouth. Many of our railway companies are experiencing at the present moment the utmost difficulty in renewing their debentures. I need not allude to particular companies. But I dare say there are some Gentlemen in this House—probably more than one or two—who hold railway debentures, and, if they have bonds which fall due this month, they will feel in their own persons a practical exemplification of the difficulties which I have named. I have said that the difficulty has arisen, in a great degree, out of the judgment of Lord Cairns. Upon that judgment I am not going to indulge in one word of criticism. I feel that I am not competent to do so, because I should not be able to state it in proper phraseology, or in terms such as legal gentlemen may not fairly take exception to. I have, however, an idea of my own upon the subject; and this I may be allowed to say, that, looking at the position of those companies, which, in consequence of that judgment, may be unable to renew their debentures falling due, I conceive it to be not impossible, or even improbable, that the Court of Chancery may be called upon to interfere. I should like to know what is the position of a company which once finds itself within the domain of the Court of Chancery. Now, I will read one or two words from the judgment I have referred to. Lord Cairns said—

> "When the Court appoints a manager of a business or undertaking, it in effect assumes the management into its own hands; for the manager is the servant or officer of the Court, and, upon any question arising as to the character or details of the management, it is the Court that must direct and decide. The circumstance that, in this particular case, the persons appointed were previously the managers employed by the company, is immaterial. When appointed by the Court, they are responsible to the Court, and no orders of the company or of the Directors can interfere with this responsibility. Now, I apprehend that nothing is better settled than that this Court does not assume the management of a business or undertaking except with a view to the winding-up and sale of the business or undertaking. The management is an interim management; its necessity and its justification spring out of the jurisdiction to liquidate and to sell; the business or undertaking is managed and continued in order that it may be sold as a going concern, and with the sale the management ends."

Now, the point I wish to insist upon is this—that when a railway company finds itself under the jurisdiction of the Court of Chancery in the sense to which I have alluded, the Court of Chancery becomes as it were the manager of the company for the purpose of keeping it a going concern, for the purpose of sale. But who will buy a railway placed in such a position? Any number of persons possessing the requisite capital may constitute themselves a company; but I apprehend that no individuals forming a company could proceed to buy up a defunct railway concern without special legislative authority. To obtain such powers would necessitate a long delay. Nor could any existing company purchase such a defunct concern, because no existing company has any powers which would enable them to do so. To acquire such powers it would have to make application to Parliament. And there are many other difficulties attending such a course, difficulties which have been well described in a letter bearing the signature of "Inquirer," which appeared on the 23rd of February last in *The Economist* newspaper. In that letter the whole question was discussed at length of a railway company being offered for sale, and the difficulties are so great, that in the event of any company being brought to sale in that way, it would be impossible for the Court of Chancery to act as managers of the concern without enormous public inconvenience, and even without a cessation to a great extent of the advantages which the public derive from the continuance of traffic in the district. See, for instance, what effect has been produced within the last few days by the comparative cessation of traffic on only one line, the inconvenience to which persons living to the South of London were exposed owing to the strike of the engine-drivers on the London and Brighton Railway. From that circumstance we can form some idea of the effect which would be produced by the stoppage of the traffic on some great line such as the Great Western Railway; and I select this company as an example merely on account of the fact that it lies in the centre of a great traffic system. If such a stoppage were to occur on this line, even for one day only, the inconvenience that would result to the public in consequence it would be impossible to estimate. Now, Sir, for this state of things a great many remedies have been proposed. The newspapers have, indeed, teemed with letters on the subject. I have the greater part of them with me at the present moment, but I do not certainly intend to read them now, because I take it for granted that they have already been seen by hon. Gentlemen who feel interested in this subject. A letter from an instructive pen, the authorship of which I think I can trace, appeared in *The Times* under the signature of "Civis." We have also suggestions innumerable for the creation of debenture stock; another for a mutual guarantee on the part of good lines of the debenture debt of other and weaker enterprizes; for an association of railway enterprizes by which the weaker brethren would receive assistance at the hands of the stronger. There is something novel in this proposal, but it is not the one I should ask the House to adopt. The creation of debenture stock is a question well deserving, in my humble opinion, the consideration of this House; but the real remedy is to be found, I think, in the proposal which, with the permission of the House, I will suggest. I would ask the House to consider the outlines of a plan by which the Government shall be empowered to assist with the credit of the State railway companies which are unable to meet their engagements. I would limit that plan to railway companies unable to meet their engagements, for two reasons. The one is, that I do not wish to excite opposition, on the part of those railways whose affairs are so well conducted as to place them beyond suspicion, and the necessity of applying for assistance to the Government or to any one else; and in the second place, I do not wish to arouse jealousy on the part of that body of the public who naturally view with jealousy any guarantee on the part of Government, or any participation of the Government in any national enterprize. I should like to see the plan I am suggesting tried tentatively, to see how it worked; because if it did succeed, as I apprehend it would, the advantage which it would confer upon the railway company receiving assistance would be so great it would, in point of fact, so raise it from the mire of despondency into so happy a frame of mind that many other well-to-do companies would view its condition with envy, and seek to share in the benefits of the plan, if Parliament should consent to the enlargement of the scheme. I would suggest that any company unable to meet its engagements, and against which a judgment at law may have been obtained, may apply to the Government under the provisions of an Act to be passed for the purpose, and then that the Government, if satisfied with the security offered, and the general condition of the railway company requiring assistance, may grant it the assistance it needs. In the majority of cases the Government would, I apprehend, run very little risk, because all the main lines of railway in the country are at this time well constructed lines, upon which no great amount of expenditure is required ; lines which are earning large gross incomes, and on which the working expenses do not on the average exceed 48 per cent of their gross traffic receipts. If that be the case, it is clear that any assistance which the Government might be empowered to render to the railway company would be the subject of the first charge upon the remaining 52 per cent of the traffic receipts. I would suggest that the Government be empowered to guarantee the principal and interest of the debenture debt of the company, and that they should issue in place of that debt, as the debentures fell due and came in, obligations of the Government, in a form to be prescribed, to run for a term of fifty years. These obligations should be the first charge upon the receipts of the company after payment of working expenses, and these working expenses, if they are not sufficiently defined by the recommendation of the Committee now sitting upstairs, ought to be defined in the Bill to be submitted to the House. But as the Government would have rendered considerable assistance to the railway company, the railway company should not have the power by a lavish expenditure, and an improper use of the assistance rendered by the Government, in any way to damage the security which its profits would afford ; and I would therefore enact that the Government should thenceforward possess a power of veto over the proceedings of the company in all matters affecting its capital expenditure. That power should, however, be strictly limited to matters of capital expenditure, because it is exceedingly undesirable that the Government should have anything to do with the working arrangements. A railway company might be permitted to expend money from its capital for enlarging its stations, or for purposes of an analagous character; but a controlling power should be very strictly exercised by the State to prevent companies from coming to Parliament, as they do now, at the instigation of agents, or of engineers, or of lawyers, or of any members of that class who spy their prey in the distance, for the purpose of expending capital in waging war on other companies. The public, as well as the Government, should be protected from any improper attempt to enlarge the capital expenditure. It will not be at all difficult to do this. In India millions upon millions of our money have been expended upon the construction of railways, and the system adopted there has been found to work remarkably well. It would not be difficult to lay down rules by which the Government would be enabled to exercise that power of veto. Though permitted to expend money upon the enlargement of stations and matters of an analogous character, railway companies should not be permitted to wage war upon their neighbours by invading the territory of other companies, or to offer them any molestation. The public would, I think, be pleased at seeing a power interposed between themselves and the scheming portion of the population engaged in the speculative manipulation of railway affairs. I have stated that, in my opinion, Parliament made a great mistake in not securing the reversion of the freehold interest in the lands taken from private individuals for the purposes of railway construction. I think that it is even now not too late to remedy that mistake, and that, if a railway company find it to its advantage to apply to the Government for the purpose of obtaining relief, the Government should, upon assuming the liability upon the debenture debt, call upon the company to make a surrender to the State of the freehold interest in its property, and should then grant a Parliamentary lease to the railway company of the lands and the undertaking for a long term of years—say for ninety-nine years—subject to a power on the part of the State to re-enter, at an earlier period, upon conditions which I will shortly mention. But, before doing so, I wish to say, with reference to the charge for which the Government would be liable—that is to say, for the interest upon the amount of the obligations which it assumed on the part of the company—I would compel every company to render to the Government weekly 1-52nd part, or monthly 1-12th part, of the sum estimated to be necessary to cover the liability of the Government in respect of the interest on its obligations. Now, inasmuch as the Government would have a claim upon the 52 per cent of the gross receipts of the company, it is clear that the Government would take upon itself no great amount of risk, if the money with which it was to pay the interest on these obligations were sent in at once, immediately upon its receipt, by the railway company. But inasmuch as the credit of the Government is a very different thing from the credit of a public company—being perhaps fairly estimated as the difference between 3½ and 4½ per cent—I would call upon the railway company to pay to the Government a further sum of 1 per cent, making in the whole, say 4½ per cent; the credit of the Government enabling it to issue money to the companies at 3½ per cent. This 1 per cent, which would be paid upon the amount of the outstanding obligations of the company, should be invested every half-year in Government stock, or in redemption of the railway obligations; and as £1 invested in a Government Three per Cent Stock will produce at the end of fifty years £114 8*s*., so at the end of the fifty years the whole of the liability of the State will have been extinguished. It is true that it will have been extinguished by the payments on the part of the railway companies; but the railway companies would have paid no more than if they had borrowed the money on their own credit, whilst they will have at the same time the benefit of the extinguishment of their debt. At the end of the fifty years, when the obligations of the Government shall have been discharged, and the other liabilities with reference to the bonded debt shall have ceased, the Government should have the power of purchasing the undertaking at the average price which it had borne in the market for a certain number of years previously, say for two, three, four, or five years, making payment in Government securities, issued at such a price, as would enable the persons who received them in exchange for their stock, to reproduce in their pockets the value of the stock according to the computation agreed upon. If the Government did not see fit on the part of the State so to purchase the railway, the lease would then continue to run to the end of the ninety-nine years. I apprehend that it may appear to be a formidable proposition to require a railway company to relinquish and give up its property to the State even at so distant a period as ninety-nine years. Ninety-nine years is a term on which any person, when taking a lease for that time, bestows very little thought; and it is not until some forty or fifty years of the term have passed away that the possibility of the expiration of the lease suggests itself to the mind of the holder. Indeed, so small is the sum required to re-produce capital at the end of ninety-nine years, that 20*d*. taken out of every £100 of its net profits, and invested by a railway company every half-year in a Three per Cent Government Stock, will reproduce the capital of the company at the end of ninety-nine years. By means of this proposition the Government would, I conceive, be enabled to render to the railway interest at large very great and very valuable assistance. It would, I think, have the effect of relieving railway companies, and the railway world in general, from the pressure which is now placed upon them. It would enable them at once to carry on their transactions without the fear, or apprehension, or cost, attendant on the constant renewal of their debenture debt, while they would be subjected to no higher charge than they at present have to meet. For the charge of 1 per cent, which I have already mentioned, would place them in no worse position with respect to the rate of interest payable upon their bonds than that which they now occupy, and they would besides have the benefit of being enabled to extinguish the whole of their debt in the manner I have indicated. If, on the other hand, they were called upon to surrender their property at the end of the long term I have stated, they might by a very moderate provision secure themselves against loss. I think, therefore, upon the whole, that however startling such a proposition as this may appear to those who look upon it from a Government or shareholder's point of view, there is nothing in it, at all events, which should not entitle it to receive the attentive consideration of this House and of the public. I may add, although it may appear a somewhat visionary view, that, supposing all the railway companies to have in the course of time thus surrendered their property to the State, and the State to be at the end of ninety-nine years in possession of that property, it would then have an estate of the value of something like £500,000,000, which it might, if it pleased, re-let to railway companies for the purpose of being worked. If let at a sum equal to 5 per cent, an income of about £25,000,000 per annum would be secured by the State from this property; or, in other words, a sum amounting to about the annual charge for the National Debt. It is, of course, quite true that ninety-nine years are a long time to look forward to; and it may be said, as was once observed by a distinguished person on the other side of Temple Bar, that there is no good reason why we should trouble ourselves about posterity, inasmuch as posterity has never done anything for us. There are, however, some persons in this House who do think it worth while to have an eye to the interests of posterity; and there is, I think, nothing in my proposition which does not recommend it to the consideration of those who entertain that view. I may remark, that in the year 1768, the Finsbury Estate was let under the authority of an Act of Parliament for ninety-nine years, and that the end of that term was at the time, no doubt, looked upon as being very remote. The ninety-nine years have, however, all but passed away, and the Ecclesiastical Commissioners are now about to step into an annual income of £70,000 from that property. I am therefore of opinion that the country may very fairly be content to have some regard for posterity, and to assist in relieving it from a heavy charge in the way I have suggested.

There is one other point to which I wish to refer before I sit down, and that is the application of this suggestion to the case of Ireland. I find from the Parliamentary accounts relating to that country, that, on the 31st of December, 1865, the whole of the capital authorized to be raised for the construction of Irish railways amounted to £34,035,491, of which sum £19,902,528 were paid up, while the debenture loans outstanding were £5,764,284. I further find that the gross receipts from Irish railways amounted to £1,737,061, and the net receipts to £900,592. Now, if from that sum of £900,592 interest at the rate of 4½ per cent on the debenture debt be deducted, you will find that 3 per cent would represent the profit on the capital invested in those railways. But when it is considered that the Irish railways, which are upwards of fifty in number, are conducted and carried on at a great expense in the aggregate, and that that expense might be very considerably reduced by the amalgamation of the various companies under one, two, or say three or four systems of management, I think it will scarcely be thought that I am taking too sanguine a view, when I state that the receipts would, in all probability, be so enlarged by the application of my proposition to the case of those railways, that the shareholders would obtain a net profit of something like 4 or 5 per cent. I mention this by way of illustration, to show how the project might be made to work. I do not think I have anything more to say in submitting this Resolution to the notice of the House. My object is to obtain a general expression of opinion upon it. I am very thankful to the House for having allowed me to make this statement, and I leave my proposition in its hands to be dealt with as it may deem fit.

Motion made, and Question proposed,

"That it is expedient in the interests of the Public, that in cases where adequate security can be given, the State should assume the responsibility of the Debenture Debt of Railway Companies unable to meet their engagements, upon conditions providing for the eventual acquisition of such Railways by the State, upon terms of mutual advantage to the State and to the Railway Companies."—(*Mr. Crawford.*)

Mr. STEPHEN CAVE said, there was no man in the House more entitled to be heard on such a question as that now submitted as his hon. Friend the Member for the City (Mr. Crawford). His high position in the mercantile world, and his great experience on this subject, and especially in regard to Indian railways, entitled him to speak with authority, and no one could consider this Motion ill-timed. We were now passing through a great crisis in our railway history—a crisis of deep gravity and severity, involving the interests of thousands—from which he trusted we might emerge with less loss and difficulty than we were sometimes disposed to fear. His hon. Friend had drawn a distinction—a very proper distinction—between private and public interests; but when it was considered how enormous was the number of those beneficially interested in railways, the term "public" might with great truth and force be applied to these; also, considering how many calls for immediate legislation in various directions were made upon the Government, and what confusion existed in men's minds as to the kind of legislation which was required to give them what was wanted, and even what was necessary to relieve railways from their present difficulties, he thought his hon. Friend had done good service in raising a discussion like this. He thought, at any rate, that such a discussion might clear away many difficulties, and might possibly indicate the best course to be pursued. He would endeavour to follow the points of his hon. Friend's able and interesting speech, and make such observations as his less experience might enable him, with all humility, to offer. His hon. Friend began by proposing that the State should assume the debenture debt of those companies only which are in difficulty, provided their security is good, and for the purpose of eventually acquiring the lines; and having given a very interesting and no doubt very accurate description of the vastness of railway property, and the way the public were dependent upon it for most of the comforts and conveniences, and even the daily necessaries of life, he went on to ascribe the position in which that property was now placed to the action of Parliament—to railway legislation, which he said had been experimental, guided by no fixed principles, and had operated as a warning to other countries which had profited by our example and avoided our errors. And he said we should have followed the same policy as the French Government had done in respect to their railways, by leasing the lines to companies for a term. The late Sir Robert Peel, no doubt, had that opportunity, and after much deliberation, as we are told, decided not to avail himself of it. There was much to be said in favour of such a plan; but, on the other hand, there were many objections to it. One of the objections to it was that the lessor, something like the consignee of a West Indian estate, was sometimes tempted to make advances for the purpose of obtaining his rent, and, in fact, ended frequently by throwing good money after bad. We had heard, whether truly or not, that the example of France had not been so encouraging, and that the French Government had advanced considerable sums to the railway companies for the formation of branch lines which were not likely to be commercially successful. We heard, too, that the Russian Government was on the point of selling its Imperial Railway from Petersburg to Moscow to a private company. We must bear in mind, moreover, that these Governments were the original owners of a whole system, and not the purchasers of fragments. His hon. Friend found fault with the law respecting debentures, saying they were too short in date; and he quite agreed with this. The primary idea was, no doubt, that debentures would be merely temporary loans paid off when the railway came into full work. On the Continent they ran for much longer dates, and consequently the "obligations" were brought and sold on every Bourse; whereas the sale of debentures here was a matter of negotiation, which of course affected their value, thus making them less desirable as investments for capital. Moreover, on the Continental railways a reserve was kept as a sinking fund to pay off these obligations. We were compelled to trust to renewals, and therefore were at the mercy of every wind that blew. His hon. Friend mentioned debenture stock, and it seemed to him that the best way out of this part of the difficulty was the issue of debenture stock, at long dates and at any rate of interest. But here we required fresh legislation, because a limit had been placed on the rate at which this stock could be issued. This was done, no doubt, with the very laudible object of protecting those who came after us; but like most attempts in that direction, it had been productive of much mischief; and he was in favour of legalizing the issue of debenture stock at such a rate of interest as would float it, taking care that it should be registered, and that the public should know what the company already owed. He believed, with his hon. Friend, that our legislation had been very mischievous. We began by looking upon joint-stock companies and railway companies as things to be put down. As a schoolmaster sometimes regards his pupils whom he ought to foster, so we regarded such companies as our natural enemies, and instead of confining ourselves to watching jealously their compulsory powers over other people's prosperity, and leaving their finance to take care of itself, we hemmed them in with restrictions, which they had generally found some way to evade, and thus while professing to protect the creditor, we had simply lulled him into false security, from which, sooner or later, he was sure to awake—like people who are frightened during sleep—in an unreasoning panic. Hence the judgment of Lord Cairns, which simply stated what people who had thought about the matter knew before, and which did not practically make the situation or remedies of debenture-holders one iota worse, was called the immediate cause of the panic—just as the failure of Overend, Gurney, and Co. immediately preceded and possibly precipitated the panic of last year; but it was a case of *post hoc, ergo propter hoc*, and the real cause was general distrust of the finance of railways. People began to hear of over issues, open debts, Lloyd's bonds, fictitious payments; and a general alarm was the consequence. His hon. Friend said this had attained such magnitude that no smaller remedy than Government interference would have any avail—just as in the panic of last year it was said that the only panacea for the panic was a Government bank. His hon. Friend proposed that the Government should guarantee the principal and interest of the debenture-debt, and that they should take the railways and place a Government Director upon the Boards.

MR. CRAWFORD: I said that the Government should exercise a veto, not that there should be a Government Director upon the Board.

MR. STEPHEN CAVE understood the hon. Member to allude to the practice with respect to Indian railways, where a Government Director was placed upon the Board. He said that by his plan they would prevent a speculative increase of capital; the transaction would be quite safe and the Government would obtain in the end a property the value of which it was impossible to estimate. He quite agreed with his hon. Friend that it was impossible to estimate the value; but the Government might get a worse bargain than that which appeared on paper. And if there were no net profits how could capital be replaced? But the hon. Gentleman said it was only a guarantee that was required. They had had similar proposals at different times, from several quarters and for various purposes. Some proposed that assistance should be given to sound railways only; but his hon. Friend wished them to assist only those which were in difficulties. The proposal of a guarantee was no doubt a very fascinating one. It was a mere form. They might not be called upon to give anything. It was only to satisfy the public, and there was no sort of difficulty or insecurity. He remembered the year before last being persuaded to give his guarantee—and, if he was not mistaken, his hon. Friend was also persuaded to give his—to an International Exhibition which was quite certain to have a very considerable surplus; but somehow or other in the end they found that the guarantee was not a mere matter of form. This proposal must to a certain extent tend to centralization. Now, if ever centralization was inexpedient it was in a country like this where the Executive was so liable to pressure. His hon. Friend talked about the Government veto, and mentioned India as an instance of what he meant. But in India the local interests were much weaker and more divided, and the central Government was almost a despotism. He could not fancy anything more difficult or more invidious than the position of a Government Director or officer trying to prevent a branch line much desired through a district of considerable Parliamentary influence. All who had acted as trustees knew what pressure was sometimes put upon them to consent to some investment at a higher rate of interest; but where, in his opinion, there was not sufficient security. Any one who wanted to ascertain what the position of such a Government officer would be had only to read the correspondence between Mr. Howell, who was the Government officer in New Zealand, and the Colonial Office, between 1848 and 1849, and they would there see how the Government threw over at last a man who really tried hard to do his duty—or, as they put it, had "an overstrained sense of his own responsibility." A proposition had been made to the Government that they should buy up all the Irish railways. That was a proposal clear in itself—*totus teres atque rotundus.* His hon. Friend proposed only that they should guarantee the railways which were in difficulty. The effect of that would be that the Government would be plunged into all sorts of railway disagreements. Supposing they took the London, Chatham, and Dover, the South Western, or the Great Western, the Government must either immediately, or in some short period, which, as his hon. Friend said, was nothing in the life of a State, be committed to partisanship or hostility to the different railways around them. He (Mr. Stephen Cave) must confess he had a most profound distrust of sinking funds. A sinking fund had a tendency from time to time to assist the surplus of an ambitious, or to palliate the deficiency of an unfortunate, Budget. He believed that in this country, as a general rule, the Government ought to do nothing that could be done by individuals. It would be a very dangerous thing for a Government to do what his hon. Friend proposed—to stand between the public in general and railway proprietors. It was not the duty of a Ministry to supply a programme to public companies or to private firms. It was impossible that it could do so; because the interest of the public would always be at direct variance with that of the shareholders. The interest of the Government would be simply to secure its debt, while the interest of the shareholders might be to run some risk for the purpose of getting profit. Government appointments were sometimes found fault with now; but how much would that dissatisfaction be increased if the Government were to turn attention to trade and finance, and obtain a patronage extending all over the country? The Government, resting as ours did upon public opinion, could not in seasons of misfortune stand against the general discontent. When panics prevailed it was a great advantage that public feeling should be able to expend itself against Boards of Directors, who were much less amenable than Members of the Government. If he might venture to make a suggestion, he would say that the best course to be pursued was to set railways free from financial trammels, and put them as to finance on the same footing as joint-stock companies. Perfect freedom and perfect publicity were the maxims that ought to prevail with regard to railway finance. Let railway companies issue debenture stock for any length of time at any rate of interest. If they became embarrassed, and could not come to arrangement among themselves, let them be wound up voluntarily by consent, or compulsorily, under the Bankruptcy laws, by the action of the Court, so as to prevent the ruinous operation of separate suits; and let the insolvent railway be sold either to a joint-stock company, which would take all the duties and be vested with all the powers, either with or without Parliamentary sanction, as might appear safe, or to another railway company which would have to come to Parliament for power to purchase. His hon. Friend said, who would buy a defunct railway? He presumed that would depend upon the price. He remembered in a once popular play, *Used Up*, some one saying, "We have nothing like St. Peter's in London;" the answer to which was, "If we wanted one, we should get up a company, issue shares, and run one up in no time." So, he believed, there would be no difficulty in getting up a company to buy an insolvent railway at a favourable price—just as had been done more than once in the case of the *Great Eastern* steamship. This cry for Government interference was no new one. Before last year companies were to do everything; now their prestige was temporarily departed—"none so small to do them reverence." His hon. Friend had drawn a vivid picture of the stoppage of a railway for a single day. He (Mr. Cave) was not much afraid of the stoppage of a great public highway from any cause except that of a strike. If the London, Chatham, and Dover could go on performing its services so admirably, there was little to fear. He did not hear complaints of the state of the permanent way over England from the Inspectors. Perhaps they might, as had been proposed, guard against any seizure of the working appliances of a railway; but, after what had been said elsewhere, they must all be alive to the danger of destroying the credit of a company for its daily expenses by imposing too much difficulty on the recovery of open debts. He thought that the general and increasing dependence of railways upon each other was the great protection against any one being brought to a standstill. He had ventured to make these remarks in the most friendly and respectful spirit upon the proposal of his hon. Friend. He admitted his great experience, and should be followed no doubt by others whose opinions were entitled to far greater weight than his own. Many plans had been proposed to get rid of these difficulties. The air, in fact, teemed with plans. That morning he had received several proposals from men of known ability and experience. One of these, which had the merit of not asking anything from the Government, was for the formation of finance companies to deal in debentures, increasing their security by the guarantee of capital of the finance company, and making them in various ways more readily negotiable. Another was for the Government to place the companies in immediate funds, by paying down at once the estimated cost of carriage of letters and troops in perpetuity. Another was satisfied with simply extending the lien of a debenture to the chattels of the company, and to the profits as well as the tolls. Another advocated the suspension of all suits, reference of all questions to one tribunal, and the raising of a preferential stock taking priority before debentures, for the purpose of clearing away incumbrances and completing works. The House would pass its time profitably and gain much by discussing such schemes in company with that of his hon. Friend. He would ask leave to conclude with one remark. Most people were feeling their way gradually, hardly appreciating the difficulties before they set themselves to grapple with them. Public opinion was forming itself, changing and ripening from day to day. This discussion would assist it. They were now waiting anxiously for the Report of the Royal Commission. He asked the House not to act, in order, as it might fancy, to gain time, with a precipitancy of which they might hereafter repent. They should not be tempted by the natural and laudable desire of terminating present inconvenience, however pressing, of alarm, however widespread and injurious, into hasty resolutions or inconsiderate fragmentary legislation on a matter of such importance.

MR. THOMSON HANKEY said, that the hon. Member (Mr. Crawford) had not overstated the case when he spoke of this question as one of very great magnitude. The proposal submitted appeared of so startling a character that he could hardly imagine it receiving the sanction of the House. A few days ago there was a proposal for guaranteeing £3,000,000 for Canadian railways, and they were assured that there would be no possible risk, danger, or chance of their having to pay anything. The statement that was made gave every hope that that might be done without this country incurring any liability. But the right hon. Gentleman (Mr. Gladstone) pointed out that they must consider it as a loan of £3,000,000, and that it would diminish to that extent the facilities of this country for borrowing money. The proposal of the hon. Gentleman (Mr. Crawford) was that they should lend £95,000,000 or guarantee to that amount. That was a very startling proposal in order to relieve certain interests from an embarrassment which he believed to be of an entirely temporary character. He believed that if the Government were to interfere they would only aggravate the difficulties of the railways. He had no confidence in the Government management of any such enterprize. The hon. Gentleman, of course, did not propose a Government management; but he admitted that the companies would have to be under Governmental protection in such a case, and proposed that a Government Director or inspector should be appointed. What, then, would be done in the case of the disputes and altercations which were of daily occurrence between railways? The hon. Gentleman said it was impossible for a railway to be sold, but they were bought and sold every day. The amalgamations and changes of railway property which were constantly coming before Parliamentary Committees were neither more nor less than sales by one party and purchases by the other. There would always be found parties willing to buy railways, if facilities were given for selling them. The great difficulty which attached to all these questions was owing to the mistake in our Acts of Parliament, of giving facilities for borrowing. Those facilities were given originally for temporary purposes, it being intended that when a railway became established it should pay off its debts, and the railway supply its own capital. Railway companies were never intended to be made permanent borrowers and competitors in the money-market. One-third, or at least one-quarter of the railway work in the country was executed upon borrowed capital, and it was impossible for the companies to pay off their debt in the limited period of three, four, or five years. If the railway companies had no debt at the present moment Parliament would not be called on to interfere in the matter. He thought the difficulty might be got over by Parliament being more careful in granting of borrowing powers in the future, and with regard to the past, what must be done was that the railway creditors must become railway debtors. The debt must be amalgamated into the railway company—it must become part of the railway stock. It would be impossible if the Government became guarantors for railway companies, for them to borrow the money which they might afterwards require for the purposes of the State. Government stock would be depreciated as a matter of course, for if people could buy railway stock, guaranteed by the Government at 4½ per cent, they would naturally prefer that to the ordinary Government stock at 3 per cent which would go down as in France to 75 instead of being at 90.

MR. ALDERMAN SALOMONS said, the House was indebted to the hon. Member for London for bringing the question forward. The question could not be snuffed out as the hon. Member (Mr. T. Hankey) seemed to imagine. He (Mr. Alderman Salomons) was not a railway man, and was not a large holder of railway stock, and therefore he might be fairly supposed to take a thoroughly dispassionate view of the subject. Whatever the railway Boards had done, and into whatever difficulties they had got themselves, it should be borne in mind that in all cases where they had not exceeded their powers they had Parliamentary sanction for all their operations. The railways of this country involved as large an outlay as from £450,000,000 to £500,000,000, and therefore he thought the House could not be engaged in a more important duty than that of considering, when they found that great interest in a distressed condition, by what means it could be relieved from its difficulty. The Vice President of the Board of Trade had quoted the example of the *Great Eastern* steam ship, which had been sold two or three times over. But the *Great Eastern* ship was not the creation of Parliament like the Great Eastern Railway. All the railways had been the creation of Parliament. It had been suggested that insolvent railways only should be dealt with and assisted by Parliament; but for his part, he would not touch the insolvent railways at all. They could give no security to anyone, and the only course in their case was to sell them. Even in the case of the London, Chatham, and Dover Railway, extensive as it was, it would not be difficult to find a purchaser at a high value, if it were put up for sale in the railway market. The House would be surprised if he mentioned the number of millions it was said it would fetch in the railway market. If in good hands, it might be relieved from many of the extraordinary difficulties which now affected that company. If it were necessary to legislate for railways, it would be desirable to see whether something might not be done by which the interests of railways might be made compatible with the interests of the State. It might be possible by some system of guarantees, or by raising money for solvent railways, taking them as security upon the condition that Parliament should lease them for ninety-nine years, similar to what is done in France, holding them as security until the debt should be paid off.

Mr. J. B. SMITH said, railway companies had got into difficulties through mismanagement and improvidence, and he suggested that they should take a lesson from the course pursued by such companies in the United States. There were 40,000 miles of railway there—nearly three times the length of the railway system of this country—and of course there had been from time to time great difficulties among the railway companies; but they had surmounted those difficulties, not by applying to the Government, but by depending on themselves. Our railway companies had very imprudently borrowed money on debenture bonds at short dates, and so long as there was an abundant money-market there was no difficulty in renewing those bonds, but when money became scarce they had to give any price to renew them. These bonds ought all to be converted into debenture 4 per cent stock; and instead of paying dividends in money every year, they might apply the sums which should be payable on dividends to the purchase of railway debenture bonds, and pay this railway debenture stock, instead of cash dividends, to their shareholders. They would then, in fact, be borrowing money of their own shareholders. That was the course adopted in the United States. If a railway company found they wanted money to develop the traffic of their railway, or to pay off their bonds, they applied the traffic receipts to the payments required. Instead of borrowing fresh capital at a great disadvantage they borrowed money from their own shareholders, and paid dividends in stock instead of cash. It was said that the amount of debenture stock was about £100,000,000, of this, £90,000,000 was a perfectly good security, because it held the first claim on the traffic receipts, after the payment of expenses. There was scarcely a railway in the kingdom which had not a large surplus after the payment of these, so that there could hardly be a better security. If a man were paid in debenture stock and wanted cash he could easily raise it, because debenture bonds would pass in the market, and he could get cash at a small sacrifice, while the advantage gained by his railway would more than compensate for any loss. There would not indeed be a loss, as this stock, if its value were properly understood, would be as good as consols. What could be a better investment for trustees or ladies than a stock of this kind? The railway interests, therefore, need not implore the Government for assistance; let them help themselves. The course pursued in the United States met all requirements.

Mr. SCOURFIELD said, that the payment of dividends in debenture bonds was about equal to not paying them at all. It seemed like paying a debt by a promise to pay. He knew many persons who were much inconvenienced by the non-payment of their dividends, and they would not be be much consoled by the suggestion that they should accept a debenture, whether it could be converted into money or not. A great deal of the difficulty that had arisen in connection with these debenture bonds had been long foreseen. He thought nothing else could have been expected from the way in which Railway Bills had been passed in that House, and for which Parliament was, to a great extent, responsible. Parliament did lay down some rules by which Committees were directed to inspect the financial condition of these undertakings. This was difficult; but he thought there were means of ascertaining whether companies applying for powers had the means of carrying out their undertakings. He believed there was a sort of instinctive apprehension where it might be known that the parties applying to Parliament for Bills had the right amount of capital for carrying them out. There had been a flood of enterprize at one time, followed by stagnation at another; there had been too much confidence at one time, and too much distrust at another. The Duke of Wellington, with his usual sagacity, stated the real case when he said that all railways were, in their real nature, monopolies. They should therefore have been recognised as such, and the best possible bargain made with them. However bad monopoly might be, a ruined monopoly was the worst of all. He thought it would be well that they should come to a definite conclusion by which the embarrassment should be lessened. If Members were not willing to adopt the remedy of the hon. Member (Mr. Crawford), then he thought they had better say what remedy should be applied, or come to the conclusion that nothing should be done to meet the requirements of the railway interest.

MR. LAING said, he wished to point out to the House what was the real and most important issue raised by the hon. Member (Mr. Crawford). The hon. Member had taken too narrow a view of the subject in looking at it as one simply relating to the existing state of railway embarrassment. If the position of railways in this country had been like that of the lines in the United States—if an uniform and consistent system of absolute free trade had been adopted, and if, afterwards, the railways had fallen into embarrassment, he would then have entirely concurred with the Vice President of the Board of Trade (Mr. Stephen Cave), that all that could be done was to remove all legal restrictions, and leave them to work themselves out of the difficulty as well as they could. In dealing with the proposal of the hon. Member, the House might, at the present stage, set aside all question of details. If the House could see its way to the principle involved in the proposal the working of details might be easily adjusted. The idea of Government interfering to give a guarantee did not, he thought, involve Government interference in the working of railways. No loss on a guarantee was likely to occur, as the debenture capital had been limited to one-fourth, with the exception of a few railways in a state of hopeless insolvency. Except in such instances he thought there was an ample margin of security in all cases. It might be assumed, then, at present that no practical risk of loss would be incurred on the guarantee. Another assumption which he would make was that assistance of the kind mentioned would be a very great and essential relief to the railway companies, and be the means of enabling them to convert the short-dated debentures into perpetual or long annuities. He then came to the question as to how this proposal was to be considered as a broad one of principle, and with respect to that he must say that weighty arguments had been adduced on both sides. On the one hand, there was no denying that if the House were prepared to guarantee railway debenture stock it must be prepared to do it largely, and must look the £120,000,000 of capital in the face. It was not exactly like going into the market for a loan of consols to that amount; but, no doubt, by such a proceeding the Government securities in the market would be greatly increased. The supply would be beyond the demand, so that the prices of Government securities would fall, and in time of peace the great national reserve for a time of war or any other emergency would be used up. He thought the question not ripe for practical decision, but it was desirable that the arguments *pro* and *con* should be fairly put before the House and the public. On the one hand, weighty and solid advantages might result from the suggested measure. There existed a mass of railway property, amounting to nearly half the amount of the National Debt, which was in a position of great distress and difficulty, that distress and that difficulty having been occasioned to a great extent by the action of Parliament. The question then arose whether by a measure which would not cost the country anything—the proposed guarantee being covered by the railway receipts—Parliament could restore that large amount of property to a condition of comparative prosperity. It was impossible to deny that the distressed condition of the railway companies was owing to the inconsistent policy pursued by Parliament. If this country had gone on the United States plan of total free trade in railways, the railway system might have been much less costly. If they had adopted the French system, or that sketched out by his right hon. Friend (Mr. Gladstone) many years ago, things might have been in a very different position. We should have had large companies in several districts whose interests were identified with that of the public, either by terminal concessions or enforcing a reduction of fares. But, by halting between the two systems, we had arrived at a state of things which placed us at a disadvantage with foreign countries as regarded railways, our cost of railway transport being on an average something like three times as much as that in Belgium. Looking at the extent to which trade and commerce was identified with railway travelling, and the conveyance of raw material and manufactures, it was a great drawback as regarded the future of this country. Then, again, while France at the end of a limited term of years would come into possession practically of a sinking fund, equal to half its National Debt, we had nothing of that kind in this country. Last year there was much discussion about the reduction of the National Debt. If anything on a large scale was to be done, this was, perhaps, the only opportunity of doing it. By giving a guarantee which cost nothing, we should bring into operation a sinking fund equal to the whole capital invested in railways, say £400,000,000. This in ninety years would become the property of the State, and so available as a set-off to the National Debt—and eventually our railway fares might be reduced to the Continental standard. Such seemed to be the balance of the weighty arguments on both sides. On the one hand we had the disadvantage, practically, of increasing the amount of the National Debt in time of peace. On the other the advantage resulting from providing a sinking fund of magnitude for the redemption of the National Debt, while at the end of a period of years the control of the Government would enable them to reduce the scale of fares of railways to a level with those of the Continent. He did not think as yet they were ripe for balancing these comparative advantages and arriving at any positive conclusion on the subject. It was one of those subjects on which they could hardly expect the Government to take the lead till public opinion ripened into definite conclusions. He thought this discussion, however, very useful as a means of calling attention to it, and in the meantime railway property could afford to wait the solution of the question. He was therefore very glad to hear from the right hon. Gentleman (Mr. Stephen Cave) an indication of his opinion as to the more immediate remedies necessary to meet the exigencies of the position. He did look forward to the time when they would relieve railways from all those absurd restrictions by which they were bound, when they would allow them to issue debenture capital to any amount and at any price the public chose to take it. That would be an immediate and practical measure; but he felt greatly indebted to the hon. Member for having raised the discussion of the far larger question of principle involved in the case.

Mr. WATKIN said, that in dealing with the general question, they ought not to forget the legislation of 1844. The idea of the mode by which the country might become the owners of these train roads was not therefore formed to-night. It had been in the minds of statesmen since 1844. At that time a Committee was appointed at the instance of Sir Robert Peel, which devoted a great deal of time to the consideration of the question, and the minority were in favour of altering the constitution of railway companies to this extent that, instead of being freeholders, the railways should after a certain period become the property of the State. At this particular moment the State might make conditions which in the time of their prosperity railways would have refused. If he were a financier charged with any department, he should consider whether an opportunity was not now offered to effect a good, permanent and useful transaction for the country. Were they to do anything for the reduction or final extinction of the National Debt? It might be thought by some that it was better to have the steadying weight of £800,000,000 around our necks. But all must admit that both the credit and interests of the country were bound up in the reduction of the National Debt. How, then, were they to reduce it? Not by taxing industry. Was it, then, to be reduced by cash payments or by applying the credit of the country to the operation? A great financier would endeavour to use credit rather than a hard, dry payment of cash. Was there any other operation available but one analagous to that proposed by his hon. Friend (Mr. Crawford) to bring about that admittedly desirable result? It seemed to be a matter on which there was very little difference of opinion—after all it came to a question of terms. In

France they would have the means in fifty-seven years of paying off the whole of their National Debt. If we did not initiate some measure of policy with regard to our Debt, we should still have £800,000,000 around our necks. An opportunity now existed of taking advantage of the necessities of railway companies to lay down some scheme by which that great property would become the property of the State in a limited number of years. This was not purely a question of finance. Thirty-five years ago railway property in this country would have been covered by £1,000,000; it was now £450,000,000, What, if it increased in the same ratio, would it be twenty-five years hence? It would be the most powerful industrial and the most powerful single political element in the whole country. Were they, then, indifferent to the consequences of committing such an enormous political power into the hands of railway companies as they were now gradually and silently, but certainly, accumulating? This was, in his opinion, a favourable opportunity for a great financial scheme. There were precedents for its success. This was the only way in which the National Debt could be dealt with, and there was great danger in allowing these great political corporations to grow up uncontrolled.

Sir STAFFORD NORTHCOTE: The proposal of the hon. Member (Mr. Crawford) is one of such great importance, that whilst we are obliged to him for having called the attention of the House to it, I would appeal to him whether it is desirable that he should ask the House to come to a vote on a question of such magnitude, which is hardly ripe for decision. What strikes me in the discussion is this—that there are two considerations, one of which throws doubt on the other. On the one hand, it is said that the position of a certain number of railway companies is such that it is difficult for them to raise the money they require to meet their debentures—that to a certain extent the embarrassments of these companies is due to the action of Parliament and to legislation—and therefore that they have certain claims on Parliament and on the Executive for some assistance. On the other hand, we are told now that we have an excellent opportunity of effecting large transactions for the reduction of the National Debt. When we have two such arguments as these two such fine birds to be killed by one stone, it is necessary that we should consider carefully the ground for such arguments, that appear too good to be compatible one with the other. What is the case as it lies upon the claim of the railway companies? The railway companies say, "We are in a position in which we cannot raise the money we want, and therefore we come to you to help us to raise the money." Now, why were they not in a position to raise it for themselves? They say that they cannot raise at less than 4 or 5 per cent the money that they think the Government can raise at 3 or 3½ per cent. Is it because the security of the railways is not good enough to induce people to invest their money, or because there are some legal difficulties or artificial impediments to their obtaining the money that people would be glad to lend? If it is meant that there are artificial impediments in the way, then the question arises whether we cannot clear them away. But if the security is not good enough to induce the public to lend the money, then what you are asking the Government to do is to take upon themselves a certain amount of risk for the sake of the railway companies. I do not say that, under certain circumstances, the Government should not take upon themselves some risk for the sake of the railway companies. But then, you set aside the other part of the argument, that it involves no risk to the Government to secure such a large privilege as would enable us even to pay off the National Debt. I confess that the second argument makes me look with very great suspicion upon this proposal, and it appears to me a very sufficient reason not for setting aside the proposal, but for asking in detail for the data upon which the proposal is made. We think that hon. Gentlemen ought to tell us whether they are of opinion that the railway companies, whose debts we are to assume, have or have not sufficient security. If they have, I want to know what is the inducement that the railway companies should give 1 per cent to the Government to finance their railways for them; give 1 per cent more than the Government could borrow the money for. Some definite statement should be made upon these points before the House is asked to deal with the question. Under present circumstances, it would be unfortunate if the House were compelled to pass a hasty vote, either in favour of or against the proposal. I therefore hope the hon. Gentleman will withdraw his Motion.

Mr. GLADSTONE: I am very much

inclined to join my voice to that of my right hon. Friend (Sir Stafford Northcote) in expressing the hope that the hon. Member for the City will not ask the judgment of the House upon the Resolution which he has proposed. It is quite plain that whatever the opinions many of us entertain, or whatever the leaning of our minds, this is certainly one of the most vast and intricate subjects that was ever introduced into the House of Commons. If the assumptions of the railway companies be correct, or the protest against all interference be just and sound, yet neither party ought to desire, in the present immature and crude state of our information and views, that the House should be committed to any judgment. I can quite appreciate the anxiety of my hon. Friend (Mr. Crawford), connected as he is with the money-market and all the transactions in the City, to avail himself of this particular moment for effecting what he feels to be a great public object. I quite grant that there are specialities at the present moment which, if we were in a condition to entertain the question, would make it desirable that at this very moment we should come to a decision in the affirmative or negative. But in matters of this kind we have not always an unembarrassed choice, and certainly at this time it would be premature to give a decision upon a question of so vast a range, which so deeply affects the public interest, and reaches so far into futurity. I think, after the very intelligent statement of my hon. Friend (Mr. Laing), and with the example of France before our eyes, it is difficult to deny that there is considerable weight, and also that there is great attraction, in the views which have been pointed out as to this proposal being calculated to relieve the railway companies of their difficulties without any great increase of the public burdens of this country. On the other hand, it cannot be denied that by causing a very great extension of the aggregate amount of public securities in the market, without any means of procuring an extension of the number of those who are bidders and buyers of those securities, you would have to account for a fall in those securities. I am far from inclined to think that it would go so far as to affect seriously our credit. I believe that its action would be restrained within much narrower limits. I would venture to say that the amount of that action would be very much restrained, or extended and enhanced by the general policy of Parliament in dealing with the ordinary amount of balance and expenditure from year to year. Many Members take a special interest in the application of this question in the sister country, and it appears to me there are many considerations that must recommend a separate inquiry and a separate dealing with Irish railways. The total amount of railway property in Ireland is much more limited. Therefore the inconvenient consequences that are apprehended must be very much restrained, and it is possible that an experiment in Ireland might tend to prove the possibility or the impossibility of any such experiment in England. There are some difficulties connected with the matter which could only be disposed of after a most careful and minute examination. As to Government management and centralization, it appears to me that these are topics which might be easily disposed of. Government management ought not to be under any circumstances entertained; and as to centralization, this is a matter to be disposed of from time to time as the leases of the lines fall in and shall be renewed. As far as we can see at present, there would be great difficulties in the practical working connected with new works for which the demand is so instant and various in form. It appears to me that we are not in a condition to arrive at a decision at the present moment, and therefore the best practical course is to wait and see what encouragement or discouragement we shall receive from the labours of a body of very competent persons, who have undertaken an investigation into railways under a Royal Commission appointed some two years ago. The publication of the Report of that Commission cannot fail to be an epoch and a stage in the discussion of the question, and I trust that my hon. Friend will be contented to wait till the Report of that Commission is printed, to consider what is the nature of the step which he should take. I trust that for the present he will be content with the acknowledgment, that is universal, of the public service which he has performed in drawing attention to a subject of such great magnitude.

Mr. CRAWFORD said, he was sure the House would be of opinion that the last two hours had not been thrown away. He should, for his own part, be willing to take the advice given him by Gentlemen on both sides, not to ask the House to express an opinion upon the Motion. He was not without a hope that the discussion which had taken place would be of great use in the House, as well as outside of it, and in that hope he was willing to withdraw his Resolution.

Motion, by leave, *withdrawn.*

MASTER AND SERVANT BILL.

LEAVE. FIRST READING.

LORD ELCHO moved for leave to bring in a Bill to amend the Law of Master and Servant. He said, that a few weeks ago he had asked his right hon. Friend (Mr. Walpole) to take up the subject and bring in a Bill, thinking that the subject was of too great importance to be intrusted to the care of a private Member. But as his right hon. Friend's arrangements rendered it impossible for him to attempt legislation during the present Session, and as there was a strong impression that some should take place without unnecessary delay, he hoped the House would grant him leave to introduce the Bill. A Select Committee had sat last year upon that question, and, after going very fully into all its bearings, came to the conclusion that the present state of the law was objectionable and ought to be amended. As the law now stood a breach of contract, which ought to be viewed and which the Committee viewed as a civil offence, was treated criminally. That was the great grievance of which the employed class complained. The measure which he sought permission to introduce was mainly found on the principle laid down in the Report of the Committee —namely, that the breach of contract should be dealt with in future civilly and not criminally—that a servant should no longer be liable for a simple breach of contract to be seized, handcuffed, put in prison, and even subjected to hard labour. It was therefore proposed by the Bill that there should be equality between the employed and their employers—that breaches of contract, as a rule, should be treated as civil offences; but that there should be a distinction between two different classes of breaches of contract, that in ordinary cases they should be dealt with civilly, but that where there was any aggravation attending them, such as wilful injury to person or property, a criminal character should attach to them, and the persons committing them should be liable to imprisonment. It was proposed that ordinary breaches of contract should be tried before two justices of the peace or a stipendiary magistrate in England, and before the Sheriff in Scotland; but that aggravated cases, where there had been wilful injury to persons or property, should be remitted to the sheriff in Scotland, and to the sessions in England. It was also proposed that in ordinary breaches of contract the parties brought up for trial should be competent witnesses in their own cases; but that they should not give evidence in respect of aggravated or violent breaches of contract. The Bill likewise proposed to do away with arrestment of wages in Scotland. He had been in communication both with men and masters on that subject, and a Bill had been drawn up first by the men, and afterwards submitted to the masters. The present measure, as he had intimated, was mainly based on the Resolutions of the Committee of last year; and both masters and men were agreed in the main on its provisions. He trusted, therefore, that there was a prospect of satisfactory legislation on the question this Session, and all he asked was, that the House might extend to him, as a private Member, that kind consideration and ready help which he was sure it would extend, and without which he could not hope to carry his measure.

Motion *agreed to.*

Bill to amend the Law of Master and Servant, *ordered* to be brought in by Lord ELCHO, Mr. GEORGE CLIVE, and Mr. ALGERNON EGERTON.

Bill *presented,* and read the first time. [Bill 105.]

ATTORNEYS, &c., CERTIFICATE DUTY BILL—[BILL 53.]

(*Mr. Denman, Mr. Vance, Sir John Ogilvy.*)

SECOND READING.

Order for Second Reading read.

MR. DENMAN moved the second reading of this Bill. He said, that the question raised had been often before the House, and it had been considered just and expedient to abolish the certificate duty. The tax was first imposed in 1785 to meet the expenses of a war, but it had since been considerably increased in amount. The attorneys and solicitors were members of a learned profession, depending for their incomes on their brains, and their profits were limited by Act of Parliament. They were required to be educated to a high degree, and had to pay a triple or quadruple taxation. They were obliged to pay £80 for stamp duty before entering upon their profession, and £20 when they were admitted. They were also obliged to pay £9 annually if they practised in London, and £6 if in the country. They were besides subject to the same income tax as others. The tax was an exceptional one, attorneys being the only professional men who were so taxed. The present Lord Chief Justice of England, when he was a Member of that House, said it was one of the most unjust and oppressive taxes which existed. Barristers, physicians, and others were not taxed. He would not state more because he believed that hon. Members had had placed in their hands a statement regarding this tax which showed that it ought to be abolished or reduced to a nominal amount. The Chancellor of the Exchequer had stated that he approved the mode of raising taxes by licences; but he (Mr. Denman) believed the country disapproved of it. The Chancellor of the Exchequer had not always been in office. When in Opposition he had voted against the tax, so had Lord Cairns, the present Lord Chief Baron, the present Lord Chief Justice, and the Lord Chancellor. The tax weighed heavily upon the profession. It was no argument to say that the proposal was made at the wrong time, for the same argument would be used at all times, whether before the Budget or after it. The total amount of the tax in England, Wales, Scotland, and Ireland, was something under £90,000, and it would be hopeless for the Chancellor of the Exchequer to argue that it could not be dispensed with if he had a desire to repeal or reduce it. His hon. Friend the Member for Derby (Mr. Bass) opposed the repeal of the tax; but he did so because he would be sorry to lose the attorneys as allies in endeavouring to obtain a reduction of the brewers' tax. If the licences paid by the brewers were unjust let them be abolished. There was nothing in this proposal to prevent the brewers from being relieved next week, if they could show as strong a case; but, at all events, let this tax be repealed if it were just and right to repeal it.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Denman.*)

MR. M. T. BASS said, that if this licence was to be repealed all the other licences, which yielded £2,500,000, must follow the same fate. This of all others was a tax that should not be repealed, because the attorneys having great interest with the constituencies and the profession of which the hon. and learned Gentleman was so distinguished an ornament had the power of making themselves heard in that House, whilst others, and particularly the brewers, had not. Auctioneers and appraisers paid a much higher tax, and why should they not be relieved as well as attorneys? The brewers' tax was one of the most unjust taxes that was ever imposed, and he regretted it as the nearest approximation to confiscation ever proposed by any Chancellor of the Exchequer, here or elsewhere. It was an additional tax of 1*s.* 2*d.* a quarter on malt, and amounted to 3 per cent on the value of the article on which it was levied.

MR. AYRTON moved the adjournment of the debate. He said he did so on the ground that it would be the best answer to the hon. Gentleman the Member for Derby's statement as to the power of attorneys in that House, and also on the ground that it was better to wait and hear the Financial Statement, which would be made on Thursday, before they proceeded further with the Bill. They would then hear from the Chancellor of the Exchequer whether there was a surplus, and what he proposed to do with it.

MR. BRADY said, that the tax for the next year had already been paid, and the revenue could not therefore be affected. He hoped the hon. and learned Gentleman would go on with his Motion.

MR. DENMAN said, he hoped the House would not agree to the Motion for the adjournment of the debate. It was exceedingly difficult for a private Member to advance Bills a stage, and when five weeks ago he fixed the second reading for that night he had no idea the Financial Statement would be made two days afterwards. He trusted his hon. and learned Friend would not press his Amendment.

THE CHANCELLOR OF THE EXCHEQUER: The proposal of the hon. Member for the Tower Hamlets (Mr. Ayrton) is a very reasonable one. The position laid down by the hon. and learned Member for Tiverton (Mr. Denman) is quite erroneous as to the usual habit of the House as to financial questions. When an hon. Member is proposing a remission of taxation he does so after the Financial Statement, because if it is not included in the Financial Statement the hon. Member has, when after that is made, an opportunity of introducing the subject. I do not want to go into the merits of this tax. If the question of licences is brought under our consideration we must go into the whole of that question, which is one of considerable importance. When the Chancellor of the Exchequer is on the eve of making his Financial Statement, I think the hon. and learned Gentleman will do well to comply with the Motion of the hon. Member for the Tower Hamlets, and if he is not satisfied with the statement I make on Thursday it will then be open to him to make objections to it. The House, I have no doubt, will give him a fair hearing and his case due consideration. I should have proposed that the debate be adjourned for a fortnight had not the hon. Member for the Tower Hamlets made this Motion ["In the holidays."] Well, say this day month. I trust the hon. and learned Gentleman will consent to the adjournment.

Mr. CRAUFURD said, that this was only an attempt to shelve the Bill by a side-wind.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Ayrton.*)

The House *divided* :—Ayes 101 ; Noes 100 : Majority 1.

Debate *adjourned* till *Thursday.*

SALE AND PURCHASE OF SHARES BILL.

(*Mr. Leeman, Mr. Waldegrave-Leslie, Mr. Goldney.*)

[BILL 38.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Contracts for Sale, &c., of Shares to be void unless the Numbers by which such Shares are distinguished are set forth in Contract).

Mr. FILDES moved to leave out all the words after "company" in line 9. He said, the first part of the clause provided that the contract should be null and void unless it was in writing, and he thought that afforded sufficient protection without the criminal consequence provided in the latter part.

Mr. LEEMAN said, that to strike out these words would remove the backbone of the Bill.

Amendment proposed, in line 9, to leave out from the word "Company" to the end of the Clause.

Mr. BARNETT said, there had been an aggregate depreciation of £566,000 on the Stock Exchange with regard to some banks since the 21st of February, when this Bill was introduced, and this he attributed to the distrust which it had produced respecting the carrying on of transactions in future.

Question put, "That the words 'and every person' stand part of the Clause."

The Committee *divided* :—Ayes 112 ; Noes 15 : Majority 97.

House *resumed.*

Bill *reported ;* as amended, to be considered upon *Thursday,* and to be *printed.* [Bill 103.]

MARINE MUTINY BILL.

On Motion of Mr. Dodson, Bill for the regulation of Her Majesty's Royal Marine Forces while on shore, *ordered* to be brought in by Mr. Dodson, Mr. Corry, and Lord Henry Lennox.

Bill *presented,* and read the first time.

FORTIFICATIONS (PROVISION FOR EXPENSES) BILL.

Bill "to amend an Act of the twenty-eighth and twenty-ninth years of Her present Majesty, chapter sixty-one, for providing a further sum towards defraying the expenses of constructing Fortifications for the protection of the Royal Arsenals and Dockyards, and the Ports of Dover and Portland ; and of creating a Central Arsenal," *presented,* and read the first time. [Bill 104.]

House adjourned at half
after One o'clock.

HOUSE OF COMMONS,

Wednesday, April 3, 1867.

MINUTES.]—Select Committee—On Thames Navigation *nominated.*

Public Bills—*Second Reading*—Spiritual Destitution [27], *put off* for six months; Sea Coast Fisheries (Ireland) [50].

Committee — Joint Stock Companies (Voting Papers) [3] [no Report].

Third Reading—Mutiny.*

JOINT STOCK COMPANIES (VOTING PAPERS) BILL—[Bill 3.]

(*Mr. Darby Griffith, Mr. Robert Torrens, Mr. Vance.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Preamble.

On question that the Preamble be postponed,

Mr. Serjeant GASELEE said, he wished to know whether the Government were prepared to allow the passing of that measure. It appeared to him to be one of a very absurd character.

MR. WALPOLE said, he entertained no objection to their proceeding with the consideration of the Bill in Committee.

Preamble *postponed.*

Clause 1 (Manner of Voting).

MR. SERJEANT GASELEE said, that the Companies' Act provided that proxies should be sent in in proper time before a meeting, whereby an opportunity was given to ascertain the genuineness of the proxies. But as he understood the Bill, it would enable shareholders to use those voting papers without affording the directors an opportunity of knowing that they were to meet with any opposition; and that would, in his opinion, be an unreasonable arrangement.

SIR FRANCIS GOLDSMID said, he wished to know whether the clause would not authorize the use of voting papers without a stamp, as it enabled persons to give voting papers in person, or by proxy. Did not that imply that a voting paper was not a proxy—and would not a voting paper, in consequence, be exempted from the stamp? It was his intention to move the insertion of a clause exempting public companies and associations, in whose Acts or Articles it was provided that there should be no voting by proxy, from the operation of the Bill.

MR. DARBY GRIFFITH said, that the objection of the hon. Member for Reading did not apply, inasmuch as the case of those voting papers to which he referred was provided for in the last Act that had been passed with regard to stamps. A Bill with similar provisions to the present one had already passed through Committee in the Sessions of 1864 and of 1866, and he was now re-introducing that measure without any alteration. As he had already fully explained on former occasions, the measure was framed for the purpose of obviating the imperfections and inconvenience of the existing law, by which shareholders anxious to record their votes should either appear in person, which would in many cases be wholly impossible, or else should commit their proxies to the hands either of the directors or of their opponents, without having had any opportunity of ascertaining the value of the explanations which might be offered at any particular meeting. Many companies were so large that it was impossible to accommodate the number of shareholders within any reasonable space, while ladies, who sometimes formed fully one-fourth of the shareholders, were practically precluded from personal attendance at their meetings. He did not in the slightest degree seek to prejudice the position of the directors; but his sole object was to give shareholders facilities for voting with greater freedom and security. By the adoption of voting papers, as he proposed, the evils of the existing system would, he hoped, to a great extent be obviated; for while personal attendance at a meeting would be dispensed with, there would be no necessity for handing in those papers, as in the case of proxies, forty-eight hours before the meeting was held. It was the habit of directors of railways to send out with any report, without disclosing the real position of the company, applications for proxies, and he might explain his object by referring to a case that occurred the other day. The directors of the Great Western Railway called a meeting for the 8th of March, and issued a report giving generally a favourable view of the company's affairs. Before that meeting took place, however, it transpired that the railway was in difficulties, and a private meeting was called, at which it was intimated that there was no resource for the payment of dividend except a loan. After some negotiations the directors at last came to the conclusion of laying the whole case frankly before their shareholders. This policy was adopted, and it was proposed that the shareholders should receive certain securities in lieu of their dividend. The directors should have taken this course at first. They should have trusted to the good sense and confidence of their shareholders; and this was what he wished to enable them more effectually to do by means of voting papers. The only objection urged against the proposal was that it would cause delay; but this might in many cases be favourable rather than otherwise. The present mode of voting was too exclusive, and placed temptations in the way of directors to adopt an extravagant policy; and he hoped the House would therefore agree to his proposition, which was designed to remedy the evils now existing.

MR. LAWSON said, he did not think the clause would carry out the object which the hon. Member had in view; and it would, moreover, be calculated to introduce confusion into the management of affairs. At present there were two modes of voting, one in person, and another by proxy. The hon. Member objected to the system of voting by proxy; but the Bill did not at all interfere with that system. It merely gave shareholders permission to vote in a third manner by means of voting papers under a machinery of an extraordinary character. A shareholder might execute a voting paper, and give it to another shareholder to be used at an adjourned meeting, or at a poll, and if a proxy had been previously executed for use at the first meeting, it would be impossible to say which of the two documents ought to prevail. The voting paper, besides, might be produced without sufficient time being allowed for its proper examination. He submitted that the clause ought not to be passed.

MR. VANCE said, the clause was intended to remedy a great inconvenience at present existing. As matters at present stood, directors were almost invariably successful in carrying out their views, owing to their superior organization, resulting from the facilities which the law gave them, and all that was sought by the Bill of his hon. Friend was to enable shareholders to act independently of the directors, or of one or two proprietors who might have organized an opposition to their policy. It was objected that there would be some difficulty in identifying the voting papers; but this difficulty, in his opinion, would not be greater than in the case of University voting papers. He saw no difficulty in using the voting papers at an adjourned meeting, and he was persuaded that if such a system were adopted the extravagant schemes of directors would be checked and many misfortunes obviated.

SIR FRANCIS GOLDSMID said, that however good the objects of the Bill might be, they were not carried out by its provisions. The only effect of the clause would be to throw the present state of the law as to proxies, which was now clear, into hopeless confusion; for it would enable any factious shareholder in a company to subject the whole body of his fellow shareholders to a great expense, and to postpone for a week a dividend about which there was no substantial difference of opinion.

MR. DARBY GRIFFITH said, it was rather late in the day to object to the principle of voting papers, since it had last year received the approval of the President of the Board of Trade, and as they all knew the last Oxford University Election had been decided by the use of voting papers.

Mr. Lawson

MR. WALPOLE said, he did not think that the clause would be of any great practical good or of any great practical harm; but, if the House should think fit to pass it, he would suggest that the words "or at the poll," should be omitted, or otherwise great inconvenience would be occasioned by the poll being necessarily delayed for the purpose of examining and testing the validity of the voting papers. Those words were struck out upon the Report last year, and it was as so amended that the Bill received the sanction of the President of the Board of Trade.

MR. SERJEANT GASELEE said, he thought the Bill was a very clumsy one, and that the hon. Member for Devizes must be connected with a very small company or he would not have drawn up such a measure. He would recommend the hon. Gentleman boldly to raise the question of the abolition of the forty-eight hours notice, which was required with regard to proxies. He could not see why a period of forty-eight hours should not be allowed for the examination of the voting papers before they were used. He thought that the wisest course for the hon. Member for Devizes to pursue was to withdraw his Bill.

MR. LEEMAN said, he hoped the hon. Gentleman would not accept the suggestion of the hon. and learned Serjeant, as the abolition of the forty-eight hours notice would occasion the greatest possible inconvenience. He was vice-chairman of a company (the North Eastern Railway Company) connected with which there were 17,000 shareholders, and if this clause respecting voting papers were passed, and those papers could be sent in up to the very time of the holding of the meeting, it would be perfectly impossible to get through their business for several days.

MR. LAWSON said, that it was most objectionable that the House should be called upon to give its sanction to legislation on the ground that it could do no harm if it effected no good.

MR. DARBY GRIFFITH declined to make the suggested alteration in the clause.

Clause *negatived.*

Clause 2 (Penalty against Fraud).

SIR FRANCIS GOLDSMID said, this clause would, after the decision of the Committee on the first, be nugatory, and moved that the Chairman leave the Chair.

House *resumed.*

[No Report.]

SPIRITUAL DESTITUTION BILL.

(*Mr. Ayrton, Mr. Beresford Hope.*)

[BILL 27.] SECOND READING.

Order for Second Reading read.

Mr. AYRTON, in moving the second reading of this Bill, said, he wished to explain to the House the position which this question had assumed. At the commencement of this Session he had introduced a Bill for the specific appropriation of certain funds in the hands of the Ecclesiastical Commissioners for the relief of the excessive spiritual destitution existing in the metropolis. He was met on that occasion with the objection that he was proposing to break into the common fund of the Commissioners, that he was legislating for a comparatively small part of the community. He had now thrown the interests of his constituents into those of the country at large, and in accordance with the suggestion of the former opponents of his Bill, the present Bill proposed that the common fund in the hands of the Ecclesiastical Commissioners should be applied, so far as it was available, in the first place to relieve the greatest cases of spiritual destitution in England and Wales, and that this should be accomplished before minor cases were relieved. This common fund was constituted out of the surplus of the episcopal and capitular endowments of the Church in England and Wales, after providing for the necessities of the Bishops, clerical dignitaries, and cathedrals; and its increase arose from a variety of causes—from the increased value of land of an agricultural character, from the opening of mines, under properties, belonging to the Church; and the third great source was the erection of houses and buildings on land originally belonging to ecclesiastical bodies. The circumstances attending the increase of value under each of these heads were entirely different, and demanded separate and distinct consideration. The increase of value of land might be considered as what he might term natural increase, arising from the improvements in agriculture, or similar causes. Again, in some cases the increased value arose from the gathering of a considerable population in a particular spot, which, of course, had to be provided with houses, and this, therefore, led to an increase in the value of land. This enhancement in value arose from the fact that a capital of perhaps £20,000 or £40,000 had been brought upon the land and spent in houses, and the increased revenue was occasioned by the rent derived from these. It was clear that these causes of increase were separate and distinct. This was peculiarly the case with reference to ecclesiastical property in the metropolis, and so great was the increase of revenue, that after meeting the claims of the Bishop and the dignified clergy, there was a surplus in the hands of the Ecclesiastical Commissioners arising from property in the metropolis of £55,000 a year, now placed in the hands of the common fund. These revenues were about to receive a very large increase. The amount had been calculated at £48,000 a year; that sum was now being received by the corporation of London, and would be up to the end of the year. The Ecclesiastical Commissioners already received one-fifth of the whole, and the total revenue of the Finsbury prebendal estate at the present time might be reckoned as £50,000 a year, or a little more. He believed there had been some error in stating the value of the property. He believed that a considerable part of it had been underlet, and that the revenue of which the Ecclesiastical Commissioners would ultimately become possessed in respect of this property was £70,000; so that the Commissioners would have in their hands £125,000 surplus derived entirely from the increase of population and the erection of buildings within the limits of the metropolis. At present the actual sum which the Ecclesiastical Commission were spending in the augmentation of livings throughout the country amounted to £201,000 a year, of which only £25,000 a year was spent upon the metropolis. The Commissioners, in administering the common fund, had imposed on them by Parliament special duties, and had been required to make special appropriations. The first of these related to property derived from tithes, because it was thought that where property was derived from this source, the Commissioners were bound to make a return to the parish from which they were derived, and that there were special claims on the part of the districts in which the property was situate; therefore, Parliament had directed a special appropriation in such places before the money was paid over. Then they were called upon to consider the state of populations gathered in mining districts, and it was required that special appropriations should be made to populations employed in such avocations. But the Commissioners had never been called upon to deal with the special case which he had introduced to the consideration of the House. The Commissioners had of their own accord, under their general powers, made a scheme for the appropriation of their common fund, and the effect of that scheme would be that in every parish where there might be a population of 5,000 persons and upwards there was to be the appropriation of such an amount as would secure to the incumbent £300 a year. That would be a very just scheme if the population in each or the large parishes were only 5,000 persons; but, unfortunately, it was impossible to divide the most populous parishes into districts of 5,000 persons, and the consequence would be that parishes of 25,000 inhabitants would receive no more consideration at the hands of the Commissioners than they gave to parishes of only 5,000. Parishes of 20,000 inhabitants would only receive £300, and, having thus disposed of these large parishes, the Commissioners would proceed to make endowments in parishes where there was a population of 4,500 or 4,000 and under. He could not help thinking such a scheme rigidly unjust, because cases of greatest destitution—such as those of a large parish with a single clergyman—would not be met. These cases the Ecclesiastical Commissioners had passed by, and in referring to these cases he would remind the House that there was a great difference between providing for the spiritual destitution of large parishes and the question of providing an increased income for the clergyman; the latter was a case of parson's destitution. The one was a religious question, affecting a population it might be of 15,000, the other was a matter affecting the comforts of the parson of the parish. To meet this state of things he called upon the Legislature to intervene and declare that it should be the duty of the Commissioners to provide adequately for the spiritual destitution of the population in large parishes before they applied these public funds to the personal destitution of the clergymen in small parishes, if that could be called personal destitution which had to subsist on an income of less than £300 a year. The only answer he had heard to his complaint was that if a change in the application of the funds were determined upon the Commissioners would have to disappoint certain hopes which some people had been led to build up for themselves. He would answer this allegation by quoting the fact that a Committee of the House of Lords had inquired into this matter, upon which nearly all the Archbishops and Bishops sat, and they came to the conclusion that the time for dealing with this question would be when the Finsbury Estate fell into the hands of the Ecclesiastical Commissioners. He therefore altogether denied the right of the Commissioners to set up any expectations of that kind against so solemn an act as that which had been practically accepted as a proposal by that and the other House of Parliament. He denied the right of the Commissioners to anticipate their revenues; they had a right to make appropriations from year to year, but they were not entitled to say that Parliament was bound because the Commissioners had come to an arrangement by which their income was anticipated. One or two cases would illustrate these remarks. According to their own return, the parish of Bermondsey, with a population of 23,000, had got from the Commissioners £74 a year; Southwark, with 17,000, had received £183 a year; Walworth, with 32,000, had got £105 a year. If the income of the chief clergyman of a parish of 5,000 inhabitants ought to be £300 a year, surely some larger provision ought to be made in the case of a parish of 20,000 or 30,000 inhabitants. What he desired was that a general principle should be laid down for the guidance of the Commissioners. He did not ask the House to legislate in detail, for it was the duty of the Ecclesiastical Commissioners to examine into all the circumstances relative to these matters. He asked the House to require that the Commissioners should make adequate provision for the destitution in large parishes, and that they should not proceed to distribute all their funds among parishes which were small in proportion to some of those which were overlooked, and he desired that the case of these large parishes should be considered before the claims of parishes in the hands of private patrons were decided upon. It would be a great misfortune if the present opportunity for meeting so crying an evil were suffered to pass. He hoped that, after these explanations, the House would consent to the second reading of the Bill, and if any suggestions could be offered, he should be ready to give them consideration.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Ayrton.*)

MR. HOWES said, he had given notice of his Amendment with great reluctance, for no one could for a moment deny the spiritual destitution which existed in large populous towns, and everybody would desire to see the evil diminished as far as possible. He regretted that the hon. and learned gentleman, after directing his attention to this subject, did not confer at once with some member of the Ecclesiastical Commission, and put himself in the way of learning the facts of the case, of discovering the purposes and course of action of the Commission, and then of seeing whether any remedial measure might be introduced. But, instead of this, the hon. Gentleman brought in a Bill which in its effect was hostile to the action of the Commissioners. If this Bill were to pass in anything like its present shape, the discretion of the Commission, in the application of their funds, would be very much interfered with for many years to come. What was the object of this Bill? Its object was to compel the Commissioners to appropriate a portion of their revenue to other purposes than those to which they had designed to apply them. The compulsory nature of the Bill was evident, and formed a very remarkable feature. The Commissioners had adopted certain modes of providing for cases of spiritual destitution, and had in the first place directed their attention to raising the incomes of the clergy in districts containing a population of 5,000, or thereabouts; but if this measure were to pass, the consequence would be that the claims of certain large populations, where much spiritual destitution existed, would have to be deferred. He wished to refer for a moment to the position of the Ecclesiastical Commission. The evil was the inadequacy of the funds, but as the funds increased these cases of destitution would be met as far as possible. The principle which the Commissioners had adopted was to re-distribute the surplus revenue of the Church in the way of permanent endowment with a view to reducing the great amount of spiritual destitution that existed. The Commissioners had prosecuted their work so successfully that they had now got down to populations of 5,000 and 4,500. But he begged it might not be understood that the Commissioners had confined themselves to the permanent endowment of benefices with that population. They had subdivided parishes to a very large extent, and though there might exist parishes containing populations of 17,000 or even 30,000 which had not yet been dealt with, yet a great number of populous parishes had been subdivided, and they had gone on in this direction as far as their resources would allow. A clause had been inserted having reference to the mode in which the Commissioners should deal with the mining population, the object of introducing that clause being to simplify the action of the Commission. If necessary, the spirit of that clause might be extended, and it might be placed within the discretion of the Commission to afford assistance out of their funds in particular cases of spiritual destitution. There was a great misconception throughout the country with regard to the amount of funds at the disposal of the Commissioners. It was said there was a surplus income of several hundred thousand pounds at the command of the Commissioners. But the surplus funds, including the income from the Finsbury Prebend, were pledged by the system adopted since 1864 up to 1868. On that calculation the present scheme had been framed. The action of the Commissioners had been very cautious, but to a considerable extent they had anticipated the reversionary income of the Church. They had to a certain extent anticipated their returns, but not to any material degree, and he believed the result would be that not more than £12,000 a year clear surplus would be left at the end of 1868. But this surplus, if certain propositions were carried out, would be further reduced to £3,500. It must also be recollected that the Commissioners had already been compelled to reject offers of private benevolences to the amount of £100,000, for want of funds, and that they were unable to carry out many most desirable objects for the same reason. Parliament had expressed a desire that local claims should be first met in the cases of parishes with a population of 5,000 and upwards, and the Commissioners had therefore proceeded to meet public benefactions by a corresponding grant, and to this purpose a sum of £300,000 had been apportioned. He was sure it was the wish of every Member of the House that such benefactions should be met; but they had become so numerous that many of the offers could not be complied with, owing to the competition among the applicants. He believed that the progress which had been made in the endowment of livings had given general satisfaction. He thought that he had shown that it was absolutely essential that the Commissioners should have a discretion, and that to a great extent they had met the want which had been pointed out. The measure now before them was in terms a compulsory measure, and deprived the Commissioners of all discretionary power; and, moreover, if passed, it would absorb the whole of their surplus income for many years to come. If it was believed that the Commission had committed any errors in the discharge of their important functions which would render it necessary to take from them their discretionary power in administering the funds, he thought that the Government should take the matter up, and that it should not be left to a private Member to introduce such a measure as that now before the House, which, if carried, would prevent the endowment of all populous parishes, the division of parishes, and grants being applied to meet private benevolences. Under these circumstances, he did not believe that the House would consent to such a measure as this being carried, and therefore he begged to move that the Bill should be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Howes.*)

Mr. BERESFORD HOPE said, he could not admit the correctness of the reading of the Bill on which his hon. Friend the Member for Norfolk founded his opposition. He was sure that the Member for the Tower Hamlets had no desire to force the Bill at the point of the bayonet through Committee precisely in its present terms. The Bill enforced a great principle, and any reasonable objection to its provisions could easily be removed in Committee; otherwise he should not have put his name upon the back of it. The Member for Norfolk said that for some years to come the only surplus the Commissioners would have would be £12,000 a year. If, then, this be so, what better epoch can there be than this for the Commission and the House to take a little breathing time to consider what plans should be carried out in the future when the revenue again rises? The Bill is not a compulsory, but merely an enabling measure, and if it fails to express fully its own meaning, let it be so moulded that it may meet the justifiable requirements of the Commissioners in that respect. He appealed to the House not to deal with this proposal as a matter of the internal management of the Commission, but for a short time to rise above the petty and miserable questions of Commissions and Administrations, and look at the question as one involving the spiritual well-being of the people of England, and the capability of the Established Church to meet the horrible famine of spiritual privileges prevailing in every corner of the land. Rightly or wrongly, the Ecclesiastical Commission had, for many objects, grown into the character of being the Church of England by representation, and must be treated accordingly. The Member for Norfolk said that the only objection to the Bill was that it was compulsory—that it forced the Commissioners to adopt a certain line, and prevented them from carrying out their other schemes for the spiritual benefit of the population. But though one of the clauses of the Bill said that where there was a population exceeding 5,000, composed principally of poor persons, the Commissioners "shall" pay the salary of a curate, the marginal title attached to that clause said the Commissioners "may" do that; which showed the hon. Member for the Tower Hamlets was willing to treat the clause as merely an enabling one, although the draughtsman had framed it otherwise. In saying this he was well aware that these titles formed no portion of the Bill, and had no legal value. But they had a moral value as evidence of intention, and it is quite fair to quote them at that stage of any measure. In fact, the clause itself gave a discretion to the Commissioners, because while it said that they "shall" pay the salaries of curates, to an extent not exceeding £200 a year to each curate, and only where they might deem a curate's assistance necessary; all this was to be, under the proviso that they had met the existing demands upon them. He dwelt on that proviso, which had been overlooked by the previous speaker, as a reply to his objection. Anyhow, let the Bill be read a second time, and let the "shall" be turned into "may" in Committee. The Bill called upon the House formally to affirm the principle that the method by which the Church of England should meet the spiritual necessities of her teeming population in crowded places should not be exclusively that somewhat expensive and cumbersome machinery by which old parishes were parcelled out into districts, and the whole spiritual responsibility of each district thrown upon a single incumbent. The old and simple parochial system of self-acting parishes and districts, for each of which one clergyman was alone responsible, was cumbersome, antiquated, and inadequate to meet the wants of the age, at this epoch, of large towns, and well would it be for the Church of England to face the fact. Why should the great doctrine of co-operation, which is considered one of the greatest triumphs of civilization, which has been so successfully carried out in all secular matters, which has developed the coach into the train, and turned the inn into the hotel, alone break down at spiritual organization? The curate system had been worked very usefully; but there was no public recognition or aid held out to the curate, and something should be done now for the endowment of curates upon a systematic plan, and in view of the law of co-operation. No fear of doctrinal differences or ceremonial change need enter into this question. The Church, with its endowed staff of curates, might represent any phase of the Church of England; its worship might be of the simplest character. It behoved the Ecclesiastical Commission especially to turn its attention to these considerations, because the general sympathy of Churchmen had lately been awakened in behalf of curates. Within a year or so a fresh society, the Curates' Augmentation Fund, arising out of a conviction of the inadequate stipends too often paid to that class, has sprung into vigorous life. He did not think that that society had taken the best plan to meet it—namely, that of doles to special curates—still it was evidence of the need. He wished for something more—namely, the endowment of special curacies. This was no innovation. In certain old churches—he would quote as an instance St. James', Piccadilly—was to be found an endowed clerk in orders—that is, a curate with a fixed stipend. The system had fallen into abeyance, and now he would revive it. That it had formed no part of the original system of the Ecclesiastical Commission was no objection, but rather the contrary. When the Commission was first constituted, thirty-two years ago, it was much wanted may be. But the reason why it was so wanted was the spiritual deadness which had crept over the Church of England, and which, within the intervening years, had been changed to such vigorous life. No one would for one instant contend that, supposing the Ecclesiastical Commission were to have been constituted now, it would have had the form in which it was cast in 1835. It would have had a more representative character—including, he meant, representatives alike of clergy and of devout laity; it would have been less official and bureaucratic. No doubt it has marched with the times; no doubt it has notably improved its system in many respects; things he cheerfully acknowledged, and therefore he called for still further amendment. In fact, his position was that, as the Ecclesiastical Commission depended so much on official nomination, there was the more reason, now that there was so great an increase of spiritual life among the people, for compelling the Commissioners, at least theoretically, to accept the new means of improvement, although through a want of funds they might not at present be able to carry it out. At the same time, he wished in all reason and moderation to consider the condition of their actual exchequer and the liabilities they had incurred. If, however, the Bill were thrown out on the second reading, the impression conveyed to the public would be, that the Commission, which practically represents the Church of England, was either unwilling to adopt a new state of things, or incapable of understanding that the population had outgrown the old and simple parochial system, and that it was unwilling to apply the great principle of co-operation to spiritual needs. He would endeavour briefly to show by an example the difference between the old system and the one which he would desire to see introduced. He took a parish or district in some large town of 8,000 inhabitants. In it the incumbent might have with great self-denial and difficulty, helped by the Commission and the Church societies, have scraped together money to build his church, parsonage, and schools, and set up parish charities, and might be working the district, of which no part was very rich and one end was miserably poor; doing what he could, but being single-handed, only able to give from physical weakness the smallest modicum of Church services—two, perhaps, every Sunday at the regular hours. The case of this parish would come before the Commission, and by their regulation system, they would have nothing better to do than cut it in two, and separate the very poor end of it from the hardly well-off one. Then some other clergyman would be sent into the very poor district to repeat the same experiment as his elder brother, under much greater disadvantages, from the more abject destitution of his flock, of scraping together money for church, and school, and parsonage. When this was done the result of the handiwork would be, two isolated over-tasked clergymen, two sets of schools without staff or revenue to make either of them effective, and two churches which really did only the work of one, because each of them — dependent on a single minister —could only offer the same minimum of regulation services at the same regulation hours. What would he, on the contrary, suggest? He would advise the Commission to help and cheer the original clergyman and the original parish, not by reducing its area, not by the creation of a new incumbency involving useless building as well as monetary burdens, but by the endowment of one or two curates whose presence and co-operation would double or treble the use of church, and school, and charities. Then the richer end of the parish would not be released from its responsibility towards the poorer quarter, and that poorer quarter would not have to look for its means of spiritual existence to the repulsive system of spiritual mendicancy on the part of its incumbent, which is a disgrace of our age. The suggestion of his hon. Friend the Member for Norfolk which had struck him the most was the appeal not to change the system of the Commissioners, because their grants being contingent on contributions from elsewhere, stimulated vast efforts of private munificence which might by this proposal be checked. He was perfectly ready to meet and provide against that danger by enacting that the grants towards curates, whether as endowment or stipend, should be contingent on and in correspondence with private efforts. With these explanations, and on the understanding that the Bill might be moulded in Committee, he hoped the House would give it a second reading.

Mr. WALPOLE said, the hon. Member for East Norfolk had expressed a wish to know what course the Government proposed to take in reference to this Bill. For himself, he might say that he was very strongly in favour of the principle that had been so well advocated, of providing for spiritual destitution in populous places, by giving curates to those places in addition to the endowments that now existed. If therefore this Bill had been simply a measure to enable the Commissioners to examine properly into all the wants of different places, and of then providing curates where they were required, he should have given it his cordial support. He must, however, say that by adopting the Bill as it stood at present, he was convinced that the House would be taking a backward and detrimental step. It was impossible that they could adopt the principles laid down in the Bill, unless the Commissioners were secured in the possession of adequate funds to meet the requirements which the Bill would create. The Bill assumed there was a large surplus in the hands of the Ecclesiastical Commissioners, but the statement made on the authority of the Commissioners in that House was, that by the end of 1868 they would not have £12,000 a year absolute suplus. The present Bill would therefore, if adopted, exhaust the whole of that surplus, by substituting a new mode altogether of providing for the spiritual destitution of places requiring assistance. Surely no one could doubt—considering the small amount in the hands of the Ecclesiastical Commissioners and the numerous claims, present and prospective—that this surplus of £12,000 a year would be very inadequate to answer the many claims which the Ecclesiastical Commissioners were bound to satisfy. Under the Act of Parliament the Commissioners were bound to satisfy certain claims—first of all, the claims arising in places where the tithes belonged to the Church, and in which the property of the Ecclesiastical Commissioners was situate; and secondly, the claims of populous parishes in mining districts. Now, the claims made upon the Ecclesiastical Commissioners for those two purposes would absorb a large portion of their funds, and those claims would have to be provided for for many years to come, until every part of the kingdom where they arose was satisfied. In addition to all this they had still in existence the arrangement come to some four years ago—an arrangement which was to last for a period of five years from that time. By that arrangement an obligation rested upon the shoulders of the Ecclesiastical Commissioners, from which they could not relieve themselves until the expiration of the five years. The Commissioners were morally and equitably bound to meet the claims comprehended under it. There was nothing unreasonable in that arrangement, as was evident from the fact that it had met with universal acceptance, and that it was well calculated to answer all the purposes for which it was proposed. At that time there existed populations of 10,000 and upwards, in which the clergyman was paid a miserable pittance to attend to the spiritual wants of a vast district. The three modes by which it was proposed under the arrangement entered into four years ago to meet the spiritual wants of certain parishes or districts were—first, to provide that in cases of very populous parishes or districts the income of the clergyman should be raised to £300; secondly, to supply the wants of all local claims; thirdly, to contribute an equal amount to that of benefactions subscribed for by parishioners in order to satisfy the spiritual wants of the particular parish or district. Now the effect of the plan proposed would be to upset this whole arrangement, and to set at nought the advantage arising from the benefactions subscribed for year by year to justify the grant of an equal amount, so as to form a fund to meet the spiritual wants of particular places. The great arguments used in favour of this Bill, especially those relied on by the hon. Member for Stoke, went, not only for the sub-division of parishes, but the endowment of rectories and the providing of additional pastors and clergymen. He (Mr. Walpole) would go along with his hon. Friend in advocating the attainment of those admirable and desirable objects. He had intimated, he thought, to the hon. Member for the Tower Hamlets that that object could not be obtained by a compulsory Bill of this kind; but it might be effected by an enabling Bill, which would give the Ecclesiastical Commissioners a discretion in the matter, and an opportunity of judging whether the arrangement in question could be carried out, and also leaving it to them to decide upon the time and mode by which the desired object could be best carried out. Had the present proposal been one of such a character as that to which he referred he would have had no difficulty in giving it his support. A few years ago the subject of the Ecclesiastical Commission came before the House of Lords. Some of the arrangements proposed were approved of, so far as he knew, without a dissentient voice. A claim, however, was made on behalf of those mining districts in which there were large populations but without any minister to look after them. Accordingly a clause was inserted in the Bill at that time—it was, he thought, the 16th clause—which enabled the Ecclesiastical Commissioners to provide curates for places where there were large masses of people collected together who were without spiritual assistance, and empowered the Commissioners from time to time to make grants of money to meet an equal amount of benefactions, with the view of affording temporary provision for the cure of souls. Every one would admit the good which that clause had done in the mining districts of Wales and the other districts in which it was allowed to operate. That was the principle for which he was contending as being applicable to all populous places suffering from spiritual destitution. If in any of those places where the population was 5,000 and upwards, the inhabitants were willing to subscribe amongst themselves a sufficient sum to give them a claim upon the Ecclesiastical Commissioners for a grant to an equal amount for the purpose of providing curates for such places as were in want of the same, he should be willing to give his best support to any measure that would give effect to such an arrangement. But to affirm the principle of this Bill would be to act directly contrary to the moral engagements into which they had entered under the arrangement of four years ago. According to this Bill it was compulsory on the Commissioners, in cases of spiritual destitution, where the population of any parish in England or Wales exceeded 5,000, to provide out of the common fund a salary for the curate appointed to any such place or parish, not exceeding £200 a year. [Mr. Ayrton here expressed dissent.] Well, it appeared to him (Mr. Walpole) that so far as the clause could be framed in a compulsory form, the one to which he referred was a compulsory clause. If the hon. Gentleman shrunk from his own proposition, it was no doubt because he saw the injurious consequences of his measure. He submitted that the Bill should be put in a proper shape, so as to obtain the general approval of the House before it was suffered to go into Committee. He fully agreed with the hon. Members for the Tower Hamlets and Stoke that it was advisable to supplement the arrangements made by the Ecclesiastical Commissioners for meeting the spiritual destitution of populous places by providing curacies as well as by subdividing parishes. But while concurring in such an arrangement he would leave a discretion to the Ecclesiastical Commissioners to carry out such an arrangement according to the funds under their control.

Any measure introduced with that object would, he thought, receive the sanction of the House. But as the measure which was brought into the House by the hon. Gentleman opposite would, according to the authentic statement of his hon. Friend the Member for Norfolk, exhaust all the funds of the Commissioners and deprive them of those valuable means of doing good which the Commissioners at present possessed—as, instead of being an advantage, it was a measure that was likely to do harm to the working of the Commission, and to exhaust the funds in their possession—he should feel it his duty to offer it every opposition. He would, however, suggest to the hon. Member for the Tower Hamlets that instead of the present Bill he should introduce one of a permissive character. Under all the circumstances of the case, and for the reasons he had stated, he could not with his eyes open assent to the second reading of the Bill in it present form.

Mr. POWELL said, he would not venture to oppose this Bill from any narrow view, or from a mere Commissioners' aspect of the question, but he should oppose it on other considerations altogether. There was some degree of inconsistency in the opening remarks of the hon. Member for the Tower Hamlets. The hon. Gentleman said his only object was to cast in the lot of his constituents with that of the rest of the people; but throughout his speech it was evidently the desire of the hon. Gentleman to place his constituents in a position superior to that of any other class of the people. Now he (Mr. Powell) believed that the hon. Gentleman's constituents had received fair and even justice from the hands of the Ecclesiastical Commissioners. It was asserted that the Ecclesiastical Commissioners declined to give any more income to ministers of large parishes—parishes with populations numbering 20,000 or 30,000—than what they gave to ministers placed over parishes of only 5,000 and upwards. He denied that that was the policy or the practice of the Ecclesiastical Commissioners. They had given in some cases £200 a year to district churches for parishes largely populated, and in which there was a want of church accommodation. And the effect of such a course was to afford a most valuable stimulant to the erection of new churches or the enlargement of old ones. It was not the case that the Ecclesiastical Commissioners evinced any desire that the clergyman attached to one of those churches should receive no assistance, or co-operation, however extensive his duties. On the contrary, they showed an extreme desire and willingness that the ministers of those churches should not be single-handed, nor forced to pursue their labours without co-operation. One of his arguments against this Bill arose from the fact of the enormous subscriptions given year by year towards the relief of spiritual destitution. It was almost impossible to establish endowments in connection with new churches that were being built. There was, on the other hand, little difficulty, comparatively speaking, of maintaining curates by annual gifts. He therefore strongly objected to diverting funds, from the creation of endowments to which voluntary action was unequal, to the payment of curates, which subscriptions successfully accomplished. Neither was he desirous of a minute subdivision of parishes, thus creating, as the Dean of Ely remarked, a series of little independent ministers, each at the head of a little independent congregation. Such, however, was not now the practice, the new districts and new parishes containing as they did very considerable populations. He did not at all sympathize with the hon. and learned Gentleman in the 2nd clause of the Bill, wherein he seemed to exhibit a feeling, if not of antagonism and hostility, at least of extreme jealousy, with reference to lay patrons. Those persons did not exercise their patronage with less benefit to the Church than public patrons. There might be some solitary instances of nepotism, and where relations were presented to the family living, but in large towns the lay patronage was exercised in a beneficial manner for the Church, the best clergyman being selected. He had carefully watched the proceedings of the Ecclesiastical Commissioners, and though not predisposed to view them with favour, he was convinced that their conduct had conferred great benefit upon the Church, and that the continual interference of Parliament would only serve to cripple their freedom of action and greatly impede their usefulness. Instead of their waiting for the judgment and legislation of Parliament he considered it was their duty to exercise providence and forethought, and take a comprehensive view of their duties, and consider what in the long run would best promote the interests of the Church. The action of the Ecclesiastical Commissioners, it should be borne in mind, greatly influenced those who were engaged in church extension, and the friends of the Church framed and propagated their schemes, and appealed to the public and received donations, upon the faith of what the Ecclesiastical Commissioners would do. If Parliament interfered in this fragmentary and casual way with the working of the Commission he was certain it would thwart its own original intention with reference to the extension of the Church in poor districts, and the appointment of qualified and cultivated clergymen.

Mr. BRUCE said, that he must concur in the Amendment which had been proposed by the hon. Gentleman the Member for West Norfolk—namely, that the Bill should be read a second time that day six months. If the Bill passed in its present form it would entirely destroy the discretion which at present existed in the Ecclesiastical Commissioners, and reduce them to nothing more than an Additional Curates' Aid Society. It would entirely prevent the Commissioners from continuing the system which had hitherto proved so beneficial to the Church, of making small annual grants for church extension, whereby large benefactions were obtained from the public bounty for the same purpose. The grant of £3,500 a year by the Ecclesiastical Commissioners was the means of drawing £100,000 per annum from the bounty of the public; and there was ample ground for believing that if they could increase the grant to £8,000 per annum the donations of the public would increase in proportion, and would reach a sum of not less than £250,000. The hon. and learned Gentleman the Member for the Tower Hamlets had said that the scheme of the Ecclesiastical Commissioners, which had been before the House for the last three years, was not a scheme for supplying spiritual destitution, but for supplying parsons' destitution. Nothing could be more miserable than the position of a poor clergyman appointed to preside over the spiritual interests of a large population. It was necessary that he should be a man of great ability, but it was impossible to get such a man in the Church any more than it was in other professions, unless he was adequately remunerated. That fact, alone, he thought, formed a sufficient justification for the course which the Ecclesiastical Commissioners had pursued for so many years, and which, until the introduction of the hon. and learned Member's Bill with reference to the Finsbury Estate Bill, had never been impugned, but had been unanimously approved of by the Church and the public. They were in this position with regard to the present Bill. The hon. Member for Stoke, whose name was on the back of the Bill, had disclaimed in the fullest manner its compulsory character, though the hon. Gentleman the Member for the Tower Hamlets had not done so, and had the Bill been framed on the suggestions which he (Mr. Bruce) made when the Finsbury Estate Bill was before the House, he and his right hon. Friend the Home Secretary, and his right hon. Friend the Judge Advocate, would not have opposed it. [Mr. Walpole: Hear, hear!] He believed that the local claims were great, and that it was for the general interest of the Church that they should be encouraged; but whether the claim for curates in the mining districts was a local claim or not, there had been a partial treatment of the mining districts which could not be altogether justified. It had been said that the population in those districts was of a migratory character, and that it was necessary some provision of a temporary character should be made to meet that difficulty, because it was urged there was no reason why provision should not be made in the manufacturing districts, or wherever great populations arose. He was prepared to remedy that and to put the country generally in the same position. If therefore the hon. and learned Gentleman the Member for the Tower Hamlets would withdraw the Bill and introduce another based upon that principle, he should be ready to support it, and the right hon. Gentleman the Home Secretary had intimated his readiness to do the same. Or he would suggest to his hon. and learned Friend that he might commit this Bill *pro formâ*, and then introduce the clauses to which he and his right hon. Friend and others could assent. He should expect that everything like compulsion or an interference with the discretion of the Ecclesiastical Commissioners should be withdrawn, and it should also be clearly understood that they should have the power of making such grants as they considered best for the interests of the Church, and of the balance which remained at their disposal at the end of 1866. They were informed that the surplus for the three years following 1868 was not likely to exceed £12,000 per annum. On it there was a lien on behalf of local claims likely to amount to £5,000 per annum. The House and the country would not wish that the £3,500 per annum, which had been hitherto given to meet the local benefactions, should be decreased, and there would then be £3,500 per annum left at the disposal of the Commissioners. At the end of the three years there might be a larger sum to dispose of, and then it would be the duty of the Ecclesiastical Commissioners to consider whether or not it would not be for the interests of the Church that additional curates should be occasionally employed in populous districts. He did not consider it was expedient that there should always be a subdivision of large parishes, but rather that recourse should be had to lay assistance. At the same time, it was only just to state that the Ecclesiastical Commissioners had the power to do much of what was required without special legislation; and the House might rest assured that the Ecclesiastical Commissioners would pay attention to any suggestions that were made in that House, and, if it were possible, carry them out.

Mr. SELWYN said, he should vote against the second reading of this Bill for the same reason which compelled him with reluctance to vote against the former Bill for the relief of the spiritual destitution of the metropolis, and also because he was not without hope that the hon. and learned Gentleman the Member for the Tower Hamlets would be able to devise a more effectual plan for the relief of that spiritual destitution which they all so much deplored. The question was, what was the most effectual means of reducing that destitution, which all admitted was so universal and so appalling? Two opposite views had been presented of this Bill. One, the view taken by the hon. Gentleman the Mover of the Amendment, that this was a compulsory measure, which appeared to him (Mr. Selwyn) was the correct one, and the other that taken by the hon. Gentleman the Member for Stoke, who said that that was not the real intention of the framer of the Bill. Assuming that the Bill did not intend to interfere with the discretion of the Ecclesiastical Commissioners, could the hon. and learned Gentleman the Member for the Tower Hamlets, consistently with his speech on that and on a former occasion, advocate the present Bill? On a former occasion the hon. and learned Gentleman commented on the proceedings of the Ecclesiastical Commissioners with great force, and also with great harshness, but not more so, he thought, than was justified by the evidence which had been laid before the House. He truly and plainly pointed out many errors into which the Ecclesiastical Commissioners had fallen, and that day he had told them that the Ecclesiastical Commissioners had laid down a certain rigid scheme which he said was rigidly unjust; that the Ecclesiastical Commission had failed in its duty, and he pointed out particular instances on the other side of the water of spiritual destitution which the Ecclesiastical Commissioners had failed in remedying. He agreed with all that the hon. and learned Gentleman had said in that respect, and when he conceded that he was only repeating what had been proved over and over again before Commissions of that House. He was not imputing blame to any one connected with the Ecclesiastical Commission. There never had been a body who had been more happy in the selection of the persons they had put at the head of their affairs; but the faults did not arise from that Commission, but from the centralizing system which they had adopted. It was that that had made them so rigidly unjust. Some thirty years ago, finding the Church in a position of considerable difficulty, Parliament endeavoured to remedy some of the temporary evils, and they erected a high scaffold around the Church, but it was never intended to be permanent and to swallow up all the property of the Church as it had done; and it was from the establishment of the central office in Whitehall that all the evils had arisen. In the year 1855, the Ecclesiastical Commissioners recommended in a Report what should be done with reference to the property and powers of our cathedral institutions. They pointed out how inadequate they had become to meet spiritual destitution, and they suggested that the Crown and Parliament should step in and make the necessary changes to remedy spiritual destitution; but from that time to the present nothing had been done beyond attempts to transfer the property to the centralized office. In 1862 and 1863, a Committee of that House inquired into the constitution and proceeding of the Ecclesiastical Commissioners. The Ecclesiastical Commissioners were largely and ably represented on that Select Committee by four Members of the body; but notwithstanding that circumstance, the Committee, in their Report, condemned the constitution of the Ecclesiastical Commission, and pointed out the great expense which the centralized action of that body entailed on the funds. His object was to assist his hon. and learned Friend in bringing in a Bill to carry out the recommendations of that Committee—namely, to restore to the different local bodies their former powers by making them act in a manner harmoniously with the feelings and necessities of the present time, because it was considered that many of the duties of the Ecclesiastical Commissioners could be more satisfactorily discharged by diocesan or county associations, comprising the Bishop of the diocese, the dean and chapter, the archdeacon, representatives of the parochial clergy, and the laity—the presence of the lay element being, in his opinion, an essential point. Such a body would undoubtedly possess a knowledge of the spiritual wants of the locality, and it would afford ample scope for the united action of the clergy and laity. They might, if necessary, be subject to the control of a central authority, which should lay down principles, but should not interfere with details. The local knowledge of these bodies would enable them to distribute the funds of which they had the management in the best manner, avoiding the expenses of survey and valuation attendant upon the present system, and he believed the result would be to show how inadequate the Church property of the country was to meet the spiritual destitution which existed. The Committee recommended that those changes should be accomplished by the power of the Crown in certain cases, and in others by the intervention of Parliament, but although the cathedral bodies had repeatedly petitioned in favour of the scheme being carried out, nothing had yet been done. It would lead to a great saving of expense, for there existed three societies for providing additional curates, and the machinery of these, added to the enormous expenses of the Commissioners, swallowed up funds which would have relieved the spiritual destitution of thousands, while the errors into which the Commissioners had fallen from their want of local knowledge had absorbed sums which would have ministered to the wants of tens of thousands. The plan proposed was in successful operation in many colonial dioceses, and he hoped the hon. and learned Gentleman, instead of proceeding with this Bill, would bring that plan forward or would assist in urging its adoption upon the Government.

Sir WILLIAM HEATHCOTE said, the hon. Member had raised a very important question, in favour of which there was, no doubt, much to be said, but he thought the House had better confine its attention to the present Bill, which affected the administration of the funds now administered by the Ecclesiastical Commissioners. The measure had been described by the hon. Member for Stoke as permissive, but it certainly appeared to him to be compulsory in its present form, and if it was to remain so he should feel it his duty to vote against it, as it would do away with the whole efficiency of the Ecclesiastical Commission. He might say that he did not think it desirable to make the House a place where the details of administration should be settled ; this should be left to administrative bodies under its control. If the Bill were permissive he should go great lengths in saying it might be useful. He quite agreed in the suggestion that the Commissioners should not be kept in the groove of subdividing parishes to which grants were made, for in some cases it would be much better to appoint curates, under the direction of one energetic incumbent, and he also concurred in the suggestion that private benefactions should be stipulated for. If these points were embodied in the Bill, and if it was made clearly permissive, it would be a useful measure, and he was willing to assent to the second reading on the understanding that it should be committed *pro formâ* and should be re-constructed, but unless such an assurance were given he should feel bound to vote against it.

Sir GEORGE GREY said, he hoped that the Bill would not be rejected upon the second reading, because there could be no doubt that a most valuable mode of providing for spiritual destitution was to appoint additional curates in populous places, instead of always insisting upon further endowments. It had been said that the Commissioners had this power already ; but he could not help thinking that, except in the case of mines, the Commissioners had never felt that to be the case. At all events, it was desirable that any doubt upon the subject should be removed, and that the hands of the Commissioners should be completely liberated. He thought it desirable that Parliament should express an opinion that this was a proper mode of expending any funds that might be at the disposal of the Commissioners, and that the Commissioners should have full powers to act, not with the view of diverting their funds altogether from other purposes to which they were now usefully applied, but of considering, concurrently with the existing modes of providing for spiritual destitution, the expediency of appointing curates in aid of the incumbents in populous places. He urged that the Bill should be read a second time upon the condition that it should be committed *pro formâ*, and so amended as to operate permissively only. If they rejected the Bill at the present stage it might be implied that they differed from the hon. Member for the Tower Hamlets as to the expediency of applying the funds of the Ecclesiastical Commissioners to the provision of additional curates.

Mr. HENLEY said, he thought that the general feeling of the House was clearly in favour of an enabling Bill to empower the Commissioners to appoint additional curates where it was necessary. The difficulty they were in was that one hon. Member said the Bill was permissive and another said it was compulsory, and that view was expressed by the hon. Member in moving the Bill. He admitted it was very inconvenient to vote for the second reading of a Bill in which, in its present shape, they did not concur, with a view of amending it in Committee, but he did not wish to negative the principle of appointing additional curates. They had heard lately of the awkward state of ignorance of the agricultural labourers, who, it had been said, could not understand what they read; and that seemed just the position of hon. Members with regard to this Bill. They had the Bill, they read it, and they could not understand what they read. He concurred in the proposal that the Commissioners should be empowered to make grants for additional curates in cases where it was unadvisable to divide parishes, but not in the suggestion that local commissions should be established, for he feared the effect would be that instead of one nuisance they would have fifty. He hoped the hon. and learned Gentleman would undertake to make the Bill permissive.

Mr. AYRTON said, that the hon. Member for the University of Cambridge could hardly expect him to carry out the suggestion which he had made. With reference to the other suggestion that had been made, he wished to explain that the Bill was compulsory so far as it compelled the Commissioners to consider the claims of these parishes; but it was permissive in not compelling them to appropriate their funds to any specific object. The Bill was thus partly permissive and partly compulsory, the simple object being that gentlemen living in comfort and luxury on incomes, perhaps, of £15,000 a year, should be obliged to consider the necessities of poor people, almost destitute of clothing, without education, with no means of subsistence, and hardly better off than heathens. This they had not hitherto done, having paid more regard to the interests of the parsons than of the people. He was prepared in Committee to carry out his view of compelling the Commissioners to consider these cases, and of allowing them to apply part of their funds to these claims concurrently with other claims. The hon. Member for East Norfolk had stated there were 800 parishes with 5,000 inhabitants, and that the Commissioners were unable to grant £200 a year to all these; but the number of such parishes where working people congregated, and where spiritual destitution existed, was not more numerous than they could provide for, and his proposal was not that £200 per annum should be given, but that that should be the maximum. The Bill did not specifically appropriate any of the Commissioners' funds, and if the hon. Gentleman opposite was ready to acquiesce in the second reading in order that it might be amended, he would be satisfied; otherwise he must ask the House to decide whether money coming from the pockets of the residents of the metropolis should be distributed among those who had raised the fund, or whether it should be squandered on parsons and patrons scattered over the country.

Mr. BERESFORD HOPE begged to be allowed to explain. When he gave his name to the Bill it was on the understanding that it might be altered in Committee, and in the belief that the present scheme of the Commission, whether or not abstractedly the best, was a debt of honour, and was to be respected. Since, however, the hon. Member for the Tower Hamlets did not take this view, and after the reply they had just heard, he declined to be made the instrument of an attack on "patrons and parsons," and he would not vote at all.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 78; Noes 173: Majority 95.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Bill *put off* for six months.

SEA COAST FISHERIES (IRELAND) BILL.

(*Mr. Blake, Colonel Tottenham, Mr. Brady.*)

[BILL 50.] SECOND READING.

Order for Second Reading read.

MR. BLAKE, in moving that the Bill be read a second time, regretted the lateness of the hour precluded him, in justice to the hon. Members who wished to speak also on the subject, from entering into it as fully as he wished. He would curtail his remarks to the narrowest limits, more especially as he had extensively circulated in a printed form reasons in support of the measure. Twenty-one years ago competent authorities declared that the coasts around Ireland ought to give employment to four times the number of people engaged in the fisheries, and that the capture ought to be in the same proportion. There were at that time nearly 20,000 vessels and boats and upwards of 100,000 men and boys employed in the fisheries. The modes of capture had in the meantime improved, prices had increased, though fish was quite as abundant, increased facilities of transit had enabled markets to be more easily reached, and yet to-day there were not above 10,000 vessels and boats, and 40,000 hands engaged, showing a diminution of more than one-half of the latter, and fully half the former. The cause of this was in part told in the Report of the Royal Commissioners appointed in 1864 to examine into the fisheries of the kingdom—

> "The fishermen suffered to the full extent in the misfortunes of the famine, and as most of them became physically incapable of going to sea, it was frequently found that men were starving whilst fish was in abundance. In many parts of Ireland the fishing population has not yet recovered from the depression and ruin caused by the famine, and the subsequent emigration, by taking off the youngest and ablest of the fishermen, and leaving behind the old and incompetent, operated most injuriously."

Thousands of poor fishermen had to sell their boats and gear for anything they could get, and thousands of craft were suffered to go to decay, the owners in both instances never being able to replace them. This accounted in a great measure for the decline in numbers; but the causes which operated before the famine in preventing the fisheries from being as flourishing as they ought to be still existed, the want of good fishing harbours, want of capital to procure a better class of boats by the coast fishermen, unwise restrictions on the modes of fishing, the want of a constant supervision, and of a vigorous central authority. The Bill then before the House was intended to provide for those requirements. It removed the control from the Board of Works, and placed it directly under the Lord Lieutenant. He wished to speak of the Board as it deserved with every respect, but it had such multifarious and onerous duties to perform that the fisheries could not be properly attended to: and in justice it should be said the Board was vested with very insufficient powers. In conformity with the recommendation of the Royal Commissioners all restrictions on in-shore fishing was removed. This was a subject involving some difference of opinion, and the Board of Works had expressed an opinion contrary to the Royal Commission, as regarded trawling within bays and estuaries. It seems, however, that whilst in many places they prevented vessels which could not trawl in less than four fathoms of water from fishing in bays, they allowed small craft which could trawl in half a fathom to do so freely, so that if their theory was correct about destroying spawn in shallow places, they suffered the mischief to be done in the most effectual manner. Persons of capital were deterred in many instances from investing in large boats, as during hard weather they should keep their crews idle, from not being able to follow fish up estuaries, which could not be caught by small boats, and which after a time dashed back to sea again, and might never be captured. The provisions regarding loans were the most important in the Bill. They would in the first place enable owners of property on its security to obtain loans to plant oyster beds on the shore adjacent to their lands, and in the next empower the Board of Works to advance small sums on approved security for procuring boats and gear. This would very much encourage the purchase of craft more suited to deep-sea fishing than those generally used by the humbler fishermen. The Royal Commission of 1836 strongly recommended the encouragement of loan funds. A society, of which Mr. Andrews, the eminent authority on fisheries, was a trustee, had in a few years advanced several thousand pounds to poor fishermen, which, he stated, had all been repaid, after conferring great advantages on the recipients. Some, perhaps, would urge that to make advances to fishermen was contrary to the principles of political economy. On that day he had put the question to the first political economist of the age, who considered that the Irish fishermen ought to be fostered and encouraged by such means. A gentleman, who from his experience and official position ought to be competent to pronounce, had been quoted in a recent pamphlet as having stated that the Irish fisheries were capable of supporting twenty times the present fleet. Now, suppose that half that figure were adopted, and that ten times the present crews obtained a living, and contributed only £25 per man to the stock of fish, there would, in round numbers, be 500,000 of additional people employed, and £5,000,000 extra circulated among the Irish people, and fully £15,000,000 of additional food contributed to the stock of provisions of the kingdom. How £5,000,000 worth of fish represented £15,000,000 worth of food could be easily explained. A farmer easily obtained £60 per ton for his beef, the fisherman only got £7 per ton for his fish, prime and offal together. Now, even admitting that 1 lb of beef was worth 3 lb of fish in point of nutriment (and which it certainly was not), still those who bought it at £7 per ton had it at one-ninth the price of meat. With such a number of additional people employed, and so much money circulating, how far it would go to allay discontent and disaffection, and what a splendid nursery would be formed for the Mercantile and Royal Marine. Sensible of the latter advantage, the Emperor of the French was giving bounties and doing all he could to advance the fisheries of his kingdom. Their attention to fisheries enabled the Dutch once as a maritime Power to cope with England, and Dutchman boasted that their noble city of Amsterdam had its foundation laid on herring bones. He (Mr. Blake) admitted that there were some points in the Bill opened to controversy, and therefore did not seek it should become law until fully considered. The best way of doing this would be to refer it to a Select Committee of the House. In fact, the subject, together with the inland fisheries, had been so referred in 1862; but the latter, at his (Mr. Blake's) instance, was only then considered and reported on. The present Government on accession to office had through the Leader in the House expressed a desire to promote the material interests of Ireland. As yet, however, Ireland had been obliged to take the promise for the deed. A good opportunity now offered, without risk of loss to the State, of rendering a service to Ireland by aiding to place in a flourishing position the important industrial resource which he had brought under their notice. The Irish Members on both sides seemed most anxious that the matter should be taken into consideration, and the leading Irish metropolitan journals, Conservative and Liberal, had with great public spirit and ability urged the subject on the attention of Government, and advocated an inquiry which he hoped the House would not refuse.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Blake.*)

Lord NAAS said, it was impossible for him that day to enter very largely into the question which the hon. Gentleman had brought forward. The matter, however, was one of very great importance, and the Bill before the House would have the effect of repealing nearly the whole of their existing legislation upon it. He was disinclined to resist the appeal made to him by his hon. Friend; but he must guard himself and the Government from being supposed to be favourable to some portions of the Bill. Two Reports on that subject from very able Royal Commissions lay on the table of the House, and those two high authorities differed most essentially on some points connected with that question. Therefore, the House ought to be careful before it took any very decided line on the matter. Moreover, he understood that Parliament would probably be invited at no very distant day to consider the whole question of deep-sea fisheries as regarded the United Kingdom; and, if that were the case, it would, he thought, be premature for the House to legislate absolutely for one part of the United Kingdom. Still, the subject was not one which ought to be delayed unnecessarily, and he was not indisposed, therefore, to assent to the second reading of the Bill on the understanding that no further step should be taken in the matter until after Easter, when they would probably be better able to judge of the effect of recent legislation on certain parts of the question, and particularly with reference to the formation of oyster beds. The 12th clause of the Bill made a very serious alteration, because it provided that no boats should trawl within a distance of three miles from boats fishing with drift nets. [Mr. Blake: That is the existing law.] No, he thought not; and he mentioned that merely to show how difficult and complicated the subject was, and how cautious they ought to be before committing themselves to any opinion upon it. He hoped it would be understood that the question as to referring the Bill to a Select Committee should be allowed to stand over for the present. After Easter the House would be in a better position to decide whether it was desirable to take that course.

Sir HENRY WINSTON-BARRON said, he wished to give notice that, after the second reading of the Bill, he should move that it be referred to a Select Committee; for he was convinced that only in this way could all the differences of opinion that existed on this subject be fairly considered.

Mr. HUNT said, it was his duty to call the attention of the House to certain provisions of the Bill with regard to the lending of public money. The Bill proposed that money should be advanced by the Public Works Commissioners in Ireland to enable persons to form oyster beds, build piers and harbours, erect houses or sheds for the curing or drying of fish, and also to mend or repair boats and vessels, to purchase fishing gear, or for such other purposes as the inspectors might certify under their hands were expedient. The money was to be advanced on the certificate of an inspector that the security was satisfactory. He apprehended that in most cases the security would be personal security. He was exceedingly anxious to see the Irish fisheries flourishing; but in assenting to the second reading of the Bill, he wished it distinctly to be understood that he did not consent to many of the clauses as they now stood, because he thought it was impossible to lend public money upon perishable articles such as boats and nets, upon what he supposed was merely personal security.

Mr. MONSELL said, that in the present state of the matter what was wanted was a general Bill for the three kingdoms, instead of one applying to Ireland only; for as soon as the Convention with France was concluded some general legislative measure would be absolutely indispensable. It was not true that the decline of the Irish fisheries had been caused by the unwise interference of the Legislature or of Parliament, but by the decline of the population—a fact that was very clearly established by the Royal Commission that sat on the subject—and mainly through the continual fighting that went on between those parties who wished to carry them on in one way and those who wished to carry them on in another. He sincerely trusted that in any fresh legislation on that subject they would adopt the same system in the three countries. As soon, therefore, as the Convention with France was signed he hoped they would have a general Bill brought in for the three kingdoms. That would be better than any Government grant or exceptional legislation.

Mr. BRADY said, he thought that no sufficient reason had been shown for not proceeding with the Bill; he believed that the Bill would greatly assist in the development of the Irish fisheries, and he therefore trusted it would be referred to a Select Committee. The approaching Convention with France had no special reference to Ireland and ought not to be made the ground for obstruction to the progress of the present measure.

Mr. SHAW-LEFEVRE said, that having been a member of the Commission referred to, he could state that what was most needed for the development of Irish fisheries was that some means should be adopted to preserve peace between the different fishermen. That Report had led to the appointment of an International Commission between France and England, of which he was also a member; they had agreed upon the abolition of all restrictions beyond the three mile limit, and to establish a few simple police regulations for the preservation of order among the fishermen. He hoped, therefore, that this Bill would be simply read a second time, but that further progress should be stayed till after the production of the Report of the International Committee, which might render it unnecessary to send the Bill to a Select Committee. He approved of the abolition of restrictions in this Bill, but not of loans to fishermen, and pointed out that it would be impossible to take anything like adequate security, seeing the very perishable nature of the commodity which formed the chief security that could be offered for the repayment of the loans. He approved, however, of advances being made for piers and harbours at fishing stations, because something like a valid security could be given.

General DUNNE said, he should support the second reading, with a view to send the Bill before a Select Committee, because the Convention between France and England would by no means settle the many questions which it was the object of this Bill to settle. Moreover, there was a decided difference of opinion between the English and Irish Fishery Commissions as to the desirability of permitting trawling, the Irish Commission being totally opposed to it, while the Report of the Deep Sea Fisheries Commissioners was in favour of removing all restrictions upon trawling. With reference to what had been said against the proposal to assist the Irish fisheries with loans, he maintained that the Government were still retaining to their own use £5,000 every year to which Ireland was entitled, and which was given her for the very purpose of promoting her fisheries.

Colonel FRENCH said, he would strongly support the proposition for the second reading with a view of referring the Bill to a Select Committee, where it might be examined by Members who were acquainted with the subject and with the country. He thought that a further consideration of the measure would show that there was nothing to justify the assertion that it proposed the lending of the public money upon perishable articles. What was proposed was that the money should be lent upon such security as the Commissioners should approve of, and this need not be either of a personal or perishable character.

Mr. Serjeant BARRY thought that little disposition was shown to encourage the improvement and progress of Ireland, when a proposal such as this met with such an unfavourable reception; but when he saw one Secretary of the Treasury nodding over the way to the ex-Secretary of the Treasury, he felt sure that the scheme, whatever it might be, was doomed. Everything which had been said in the course of the debate showed that the Bill ought to be referred to a Select Committee; but, at the same time, he would say that he advocated that course, not only on the ground advanced by other hon. Members, but because he did not agree that it would be expedient to do away with all restrictions on fishing, because it would let in the employment of very destructive engines. So far as the loan question was concerned, he understood private loans were now advanced to fishermen on the security of the boats, nets, and gear, and that the results had been very successful.

The ATTORNEY GENERAL for IRELAND (Mr. Chatterton) hoped that any hesitation which the Government might have shown to refer the Bill at present to a Select Committee, would not be imputed to any desire on their part to throw obstacles in the way of the development of the important branch of national industry to which it related. He could assure the House that the Government were very anxious to deal with a subject of this importance in a way that would be satisfactory to Ireland, and there was no objection whatever to refer it to a Select Committee; but they thought the best plan would be to wait until the Report of the International Commissioners, and the particulars of the Convention were before Parliament, when they would be able to say at once whether it was advisable to send the Bill to a Select Committee.

Mr. CHICHESTER FORTESCUE expressed his gratification at hearing that there would be no opposition to the second reading of the Bill, and would have agreed readily to refer the Bill to a Select Committee, but he thought the facts stated by the hon. Member for Reading and the Attorney General ought to be sufficient to induce his hon. Friend to abstain from pressing for a Select Committee till after Easter.

Mr. M'LAREN said, that any Bill of the character of that now before the House ought to extend to the whole of the United Kingdom. He must condemn the principle of the loans referred to in the Bill as contrary to sound political economy.

Colonel VANDELEUR said, he did not think that the Bill ought to be referred to a Select Committee. It altered materially the Act passed only last Session, and it was rather early to legislate again on the subject.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday* next.

WATERFORD COUNTY ELECTION.

House informed, that the Committee had determined,—

That Edmund de la Poer, esquire, was duly elected a Knight of the Shire to serve in this present Parliament for the County of Waterford.

And the said Determination was ordered to be entered in the Journals of this House.

House further informed, that the Committee had agreed to the following Resolutions:—

That no case of general riot at the last Election was proved as would make the said Election altogether null and void.

That no evidence was adduced before the Committee in regard to corrupt practices at the last Election.

Report to lie upon the Table.

Minutes of Evidence taken before the Committee to be laid before this House.—(*Mr. Adair.*)

House adjourned at ten minutes before Six o'clock.

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HOUSE OF LORDS,

Thursday, April 4, 1867.

MINUTES.]—Public Bills—*First Reading*—Mutiny.*
Second Reading—Lyon King of Arms (Scotland)* (54); Sugar Duties* (70).
Committee—Criminal Lunatics (55).
Report—Criminal Lunatics (55).
Third Reading—Sugar Duties* (70), and *passed.*

CRIMINAL LUNATICS BILL—(No. 55.)

(*The Earl of Belmore.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

The Earl of BELMORE, in *moving* that the House go into Committee on this Bill, said, he had been asked by a noble Earl (the Earl of Kimberley) whether a certain provision of the 5th clause did not interfere with the prerogative of the Crown. In reply, he begged to state that this prerogative was not questioned in any way by the Bill. Her Majesty ordered the confinement of criminal lunatics during pleasure under the 39 & 40 *Geo.* III. c. 94, before which time such lunatics were confined by order of the Court before which they appeared.

The Earl of KIMBERLEY hoped that the clauses of this Bill would be brought under the consideration of the Irish Government, with a view to the introduction of a similar measure applicable to Ireland.

House in Committee; Bill *reported,* without Amendment, and to be read 3ª *To-morrow.*

House adjourned at a quarter past Five o'clock, till To-morrow, half past Ten o'clock.

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HOUSE OF COMMONS,

Thursday, April 4, 1867.

MINUTES.]—Ways and Means—*considered in Committee.*
Public Bills—*Resolution in Committee*—Burials (Ireland).
Ordered—Burials (Ireland).*
First Reading—Burials (Ireland)* [109].
Second Reading—Tenants Improvements (Ireland) [29], debate *adjourned;* Bankruptcy* [74]; Judgment Debtors* [75]; Bankruptcy Acts Repeal* [76]; Petty Sessions (Ireland) Act (1851) Amendment* [87].
Committee—Canada Railway Loan* [99]; Court of Chancery (Ireland) [47] [R.P.]; Policies of Insurance* [85].
Report—Canada Railway Loan* [99]; Policies of Insurance* [85].
Considered as amended—Chester Courts* [69 & 108]; Sale and Purchase of Shares* [103].
Third Reading—Alimony Arrears (Ireland)* [98].

SCHOOLS INQUIRY COMMISSION.

QUESTION.

Mr. DILLWYN said, he would beg to ask the Secretary of State for the Home Department, Whether it is probable that the Schools Inquiry Commissioners will make their Report in the course of the present year?

Mr. WALPOLE replied, that the Commissioners had their Report now under consideration, and they hoped to be able to complete it before the end of the Session. If, however, that hope were disappointed, the Report would certainly be presented before another Session commenced.

NAVY—ROYAL MARINE ARTILLERY AND LIGHT INFANTRY.

QUESTION.

Mr. STONE said, he would beg to ask the First Lord of the Admiralty, Whether the Order in Council of the 21st March 1862, forming distinct lists of officers for the Royal Marine Artillery and Royal Marine Light Infantry respectively, and providing that after those lists shall have been formed no more interchanges by promotion from one corps to the other should be allowed is still in force; whether, in the opinion of the Board of Admiralty, such Orders in Council are to be construed as strictly as other Laws, or may be set aside at the discretion of the Board for any reason whatever; and, whether in his opinion the recent promotions of a Colonel from the Royal Marine Artillery to be General in the Royal Marine Light Infantry, and of an officer in the Royal Marine Light Infantry to be General in the Royal Marine Artillery, were in accordance with the Order of March 21st 1862; and, if not, whether it is the intention of the Board of Admiralty to return those officers to the branches of the Service to which they were assigned under that Order in Council?

Mr. CORRY, in reply, said, that the Order in Council of the 21st March, 1862, forming distinct lists of officers for the Royal Marine Artillery and the Royal Marine Light Infantry, and providing that after those lists should have been formed no more interchanges by promotion from one corps to the other should be allowed, was still in force, and that in the opinion of the Admiralty such Order was to be construed as strictly as other laws. He would add that the recent promotions of a Colonel from the Royal Marine Artillery to be General in the Royal Marine Light Infantry, and the transfer of a General Officer in the Royal Marine Light Infantry to be General in the Royal Marine Artillery, were not at variance with the Order in Council of 1862.

IRELAND—MANAGEMENT OF CITY PRISONS.—QUESTION.

Mr. VERNER said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to introduce any Bill this Session to alter and amend the management of City Prisons in Ireland by Boards of Superintendence?

Lord NAAS, in reply, said, it was not the intention of Government to introduce any special Bill, but that they would introduce one on the general subject of Prisons in Ireland.

REWARDS TO INVENTORS—ORDNANCE AND PROJECTILES.—QUESTION.

Sir GEORGE STUCLEY said, he would beg to ask the Secretary of State for War, Whether, previous to the disposal of any portion of the £22,800 proposed to be given to inventors, he is willing to appoint a Committee to inquire into the claims of Messrs. Whitworth, Jeffery, Padwick, Lynall Thomas, Lancaster, and Captain Scott, all of whom have devoted much time, labour, and money in the improvement of rifled ordnance and projectiles, and have hitherto not been rewarded?

Sir JOHN PAKINGTON, in reply, said, Government had no intention to appoint any such Committee. There was already a department in the War Office which inquired very fully and thoroughly into these matters, but apart from that there was really nothing for a Committee to inquire into. He was not aware that Mr. Whitworth had made a claim; Mr. Jeffery had received a reward, Mr. Padwick had been offered a sum of money which he had refused, Mr. Lynall Thomas had become bankrupt, Mr. Lancaster had received a handsome sum, with which he was satisfied, and Captain Scott had made no claim.

REPRESENTATION OF THE PEOPLE—DISFRANCHISED BOROUGHS.

QUESTION.

Mr. RUSSELL GURNEY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, if the Boroughs of Lancaster, Great Yarmouth, Reigate, and Totnes are disfranchised, it is proposed to give votes for the respective Counties in which they are situated to those persons whom the Commissioners, after full inquiry, have found to have been guilty of corrupt practices by either giving, promising, or receiving bribes?

The CHANCELLOR of the EXCHEQUER said, he did not think that the individuals referred to should have votes for the respective counties in which the boroughs mentioned were situated. Their names were all scheduled, and he did not see that there would be any difficulty in providing against their exercise of the vote.

REPRESENTATION OF THE PEOPLE BILL—ARRANGEMENT OF BUSINESS.

QUESTION.

Mr. MORRISON said, he would beg to ask Mr. Chancellor of the Exchequer, If it is his intention to propose that the House should proceed with the Debate on the Motion to go into Committee on the Bill to amend the Representation of the People, or the Amendments thereto, on Tuesday next, and to proceed thereafter with the Bill *de die in diem*, on the nights reserved to private Members as well as on Government nights, in the event of hon. Members who have Motions on the Paper consenting to waive their right to precedence on those nights?

The CHANCELLOR of the EXCHEQUER, in reply, said, the Government would take every step in their power to advance the progress of the Bill, for the improvement of the Representation of the People; but of course it would be the utmost presumption in him to interfere with the privileges of Private Members on the nights devoted to them. He would leave the exercise of the enjoyment of that privilege to their discretion.

Colonel FRENCH said, he for one would not waive his claim.

REPRESENTATION OF THE PEOPLE BILL—THE PROPOSED ALTERATIONS.

QUESTION.

Sir WILLIAM HUTT said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, previous to Monday next, he will lay before the House, in a printed form, all the alterations which Her Majesty's Government have determined to introduce in Committee into the Bill for amending the Representation of the People?

The CHANCELLOR of the EXCHEQUER said, it would be clearly impossible to comply with the request of the right hon. Gentleman. He did not know of any Government that ever existed which could tell all the alterations that might be introduced into such a Bill. At present the modifications introduced by the Government were not so much alterations as additions, and they had reference chiefly to a series of clauses as to the modes by which the right of compound-householders to claim the franchise should be established. He was in hopes that he should have been able to lay these clauses upon the table that evening; but he had not been able to do so on account of the difficulty of the subject, and the great consideration which it required. He hoped, however, to be able to lay them before the House to-morrow, and in the hands of hon. Members by Saturday.

SIERRA LEONE—TRIAL BY JURY.

QUESTION.

Sir PATRICK O'BRIEN said, he wished to ask the Under Secretary of State for the Colonies, Whether the attention of the Government has been called to an Ordinance issued by the Governor and Council of Sierra Leone, removing the right of trial by jury in all civil actions in that Colony; and, whether a Petition against such Ordinance, signed by native merchants and other inhabitants of the Colony, has been received at the Colonial Office?

Mr. ADDERLEY, in reply, said, the hon. Member for East Surrey (Mr. Buxton) had already called the attention of the House to this subject, and had moved for Papers which had only that day been laid upon the table of the House.

IRELAND—INSPECTORS OF COUNTY AND CONVICT PRISONS.—QUESTION.

Mr. BLAKE said, he rose to ask the Chief Secretary for Ireland, Whether he proposes, during the present Session, to introduce a Bill for the amalgamation of the offices of Inspectors General of County Prisons and Inspectors of Convict Prisons in Ireland; and, if so, whether such Bill will also contain a provision for transferring prisoners for the future, sentenced to periods over six months, to Convict Prisons to undergo their term of punishment?

Lord NAAS said, in reply, that the subject was under the consideration of Government. A Bill was already in preparation which would have the effect of consolidating the present Prison Acts, and would provide more uniform treatment of prisoners. It would, however, depend upon the state of public business whether it could be introduced at an early period.

CATTLE PLAGUE—IMPORTATION OF FOREIGN CATTLE.—QUESTION.

Major JERVIS said, he wished to ask the Vice President of the Committee of Council for Education, Whether it is the intention of Her Majesty's Government to introduce a Bill to regulate the importation of foreign cattle into this country?

Lord ROBERT MONTAGU replied, that a Bill had been prepared on the subject of the cattle plague, which would shortly be laid on the table. Its object was to continue the Acts of last Session, which would expire in August next, and to remedy some defects which experience had shown to exist in those Acts; and also to embody Orders in Council, in order that they might at any time be put locally in force.

JAPAN—EUROPEAN TROOPS AT YOKUHAMA.—QUESTION.

MR. OLIPHANT said, he would beg to ask the Secretary of State for Foreign Affairs, What arrangements have been made with the Government of Japan relative to the European garrison at Yokuhama; at what strength it is proposed that such garrison should be maintained; whether it is intended to be permanent; and whether there would be any objection to laying the Correspondence upon the subject upon the table of the House?

LORD STANLEY said, in reply, that the arrangements which had been made with the Government of Japan relative to the European forces stationed there, extended over a considerable period. It was, he thought, in January, 1864, that two companies of infantry were first landed there, and in May of the same year further reinforcements were applied for. Under the management of Sir Rutherford Alcock, our Minister there, the arrangements had been carried out with great good will, the Japanese Government undertaking to provide barrack accommodation. In March of last year the War Office informed Lord Clarendon that under existing circumstances it would not be prudent to leave less than a full regiment in Japan. Since that time the force had remained there without any demand from the Japanese Government for their withdrawal, or any intimation that their presence was objectionable. The arrangement was of a temporary character, but the strength of the force there must necessarily depend upon the state of the country. There were not many Papers on the subject, and he had no objection to lay them upon the table.

METROPOLIS GAS BILL.

QUESTION.

MR. HARVEY LEWIS said, he would beg to ask the Secretary of State for India, Whether it is his intention to proceed with the Metropolis Gas Bill before the Easter Recess?

SIR STAFFORD NORTHCOTE, in reply, said, the second reading of the Bill had been fixed for to-morrow, but it would be impossible to take it then. He had that day met a deputation at the Board of Trade, and had proposed to them that if it would satisfy the Gas Companies he was prepared to withdraw the first Bill and bring in another, leaving blanks for filling in the price and standard quality of the gas. He told the deputation that he would postpone the second reading of the present Bill till next Thursday, and if they should agree to his proposal he should then move that the Order for the present Bill be discharged, and should ask leave to bring in another, to be read a second time after Easter.

QUARANTINE AT SOUTHAMPTON.

QUESTION.

SIR JERVOISE JERVOISE said, he wished to ask the Vice President of the Committee of Council on Education, Whether, on the 25th of January last, the Lords of the Privy Council issued an Order permitting Dr. Edward Seaton to go on board the vessels called the *La Plata*, *Æolus*, and *Menelaus*, under quarantine at the Motherbank, off the Isle of Wight, "without being in any way subject to the restraint of quarantine;" and, if so, on what principle Dr. Seaton was privileged to forego the requirements supposed to be necessary for the security of the public health?

LORD ROBERT MONTAGU, in reply, said, the occurrence alluded to by the hon. Baronet took place during the very cold weather in January last. Quarantine was not founded on the theory that it was necessary to stop the spread of yellow fever in cold weather, but rather to prevent injury to commerce. If a vessel arrived at Southampton from the West Indies with yellow fever on board, that port would be declared infected, and every vessel proceeding thence to foreign countries would be detained in quarantine. That would be injurious to commerce. Quarantine in this country was not a medical, but a commercial regulation. Dr. Seaton did go on board the vessels named; but it was recognised by all foreign countries that medical officers had a right to board vessels in quarantine.

CESSION OF RUSSIAN AMERICA TO THE UNITED STATES.—QUESTION.

SIR ANDREW AGNEW said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he can give any information as to the reported cession of

Russian America to the United States; and, whether the Alentian Islands are included in the Russo American territory?

Lord STANLEY: Sir, I have a telegram from St. Petersburg which in substance is to this effect, that official intelligence has been received of the purchase of the territory by the United States. I presume, therefore, that the arrangement is complete so far as the American Executive is concerned; but the House is of course aware that, by the constitution of the United States, a treaty requires to be confirmed by the Senate, and I have not yet heard that that confirmation has taken place. I am not able to state whether the Alentian Islands are included in the ceded territory. I should rather think not. I believe they are under the Government on the Asiatic side. But of that I am not quite certain.

REPORTS OF INSPECTORS OF CONSTABULARY.—QUESTION.

Mr. WHITWORTH said, he would beg to ask the Secretary of State for the Home Department, If there are any reasons why the Statistical Tables of the Reports of the Inspectors of Constabulary should not be alike in form; and, if not, whether he will give instructions for the Reports of the Northern and Southern Districts to contain similar Tables to the valuable ones supplied by the Inspector for the Eastern Counties, Midland, and North Wales Districts?

Mr. WALPOLE: Sir, the Secretary of State for the Home Department has no control over the form in which these Returns are drawn up. They are certainly different in different parts of England, but I will make inquiry as to how uniformity can best be secured.

OUR RELATIONS WITH SPAIN.

QUESTION.

Mr. OSBORNE: I wish, Sir, to ask a Question of the Secretary of State for Foreign Affairs, suggested by the extraordinary nature of the last Despatch written by the noble Lord to the Spanish Government. The Question I wish to put is, Whether the noble Lord will give the House any account or assurance of the state of our relations at this moment with the Spanish Government?

Lord STANLEY: All the correspondence that has passed between the Spanish Government and that of Her Majesty is in the hands of the House.

Mr. OSBORNE: Has no answer been returned? ["Order!"] I wish to put this Question distinctly, and to have an answer without fencing. ["Oh!"] Yes. It is very important. I speak with reference to the last despatch of the noble Lord, in which a distinct threat is held out to the Spanish Government. I wish to know if the noble Lord has received any answer to that threat?

Lord STANLEY: I must remind the hon. Gentleman that if he expects from me a definite answer, he must first put a distinct Question. He has now done so, but certainly he did not in the first instance. My difficulty in replying to him was this:—We have at this moment two questions pending with the Spanish Government, one relating to the *Tornado*, and another relating to the *Victoria*. I presume the hon. Gentleman refers to the latter. Then, with regard to that case, I can say nothing more than what I have stated—that the whole Correspondence, as far as it has gone, is in the hands of the House. I have not yet received any answer to the last despatch which concludes the papers.

BANKRUPTCY BILL.—QUESTION.

In answer to Mr. Goschen,

The ATTORNEY GENERAL said, he hoped the House would consent to read the Bill a second time that night, and take the debate on going into Committee. That was the course which he found was approved by many hon. Members with whom he had spoken on the subject. It would enable them fully to debate the subject, and at the same time expedite the passing of the measure.

WAYS AND MEANS— THE FINANCIAL STATEMENT.

Ways and Means *considered* in Committee.

(In the Committee.)

The CHANCELLOR of the EXCHEQUER: Sir, when my right hon. Predecessor last year made his Financial Statement, and offered to the House his Estimate of the amount of our income and expenditure, although the air was then apparently serene, we were on the verge of perhaps the most severe monetary disturbance and crisis that this country has ever experienced. It must therefore be a source of satisfaction to the right hon. Gentleman that his Estimates, tested by a trial of so extreme a character, should yet have proved the sagacity of his calculations; and it will not only be satisfactory to him, but I am sure to the whole House, when I tell them that notwithstanding the scenes of apparently extreme peril this country, as regards its financial condition, went through after that statement was made —notwithstanding the disasters experienced by the financial circles of this country—the consuming power of the country never for a moment flagged, and the results are of a nature which, whatever may be the anticipations of the House, will, I am sure, be a source of as much satisfaction as surprise.

Sir, the right hon. Gentleman estimated his income last year, for the year 1866-7 at £67,013,000, and the actual income amounted to £69,434,000, showing a surplus of £2,421,568, and this after a period of trial which, so far certainly as the monetary interests of this country are concerned, has seldom been equalled. But what is most gratifying is that this surplus has been acquired mainly and almost entirely under the heads of Customs and Excise—by the consumption of sugar, of tobacco, of malt, and of spirits. The right hon. Gentleman estimated his Customs last year at £20,923,000; they have realized £22,303,000, showing an increase of £1,380,000. He estimated his Excise at £19,665,000; it has realized £20,670,000, showing an increase of £1,005,000. The other items in his Estimate have been realized, but they call for no particular remark. As the Committee will see from the items I have given them, the surplus is almost accounted for by the increase in the Revenue of the year under the two heads of Customs and Excise. The estimated expenditure for the year 1866-7 was £67,031,000—including the sum of £369,000, Supplementary Estimates voted in the Session of 1867. The actual issues from the Exchequer during the year were £66,780,396. There has therefore been a saving effected of £251,000, so that the balance surplus of the year 1866-7 will amount to £2,654,172. This, of course, has exercised a very salutary influence on the balances of the Exchequer, which stand thus — on March 31, 1866, the balances in the Exchequer amounted to £5,851,314; and on March 31, 1867, to £7,294,151.

Sir, it will now be my duty to call the attention of the Committee to the expenditure for the present year 1867-8. I may mention, in the first place, that the Naval and Military Annuity granted to the Bank in 1823, which was designated at the time by Mr. Cobbett "the Dead Weight Annuity," and which has ever since borne that name, ceases, I believe, to-morrow. Though we shall have to provide a portion of that annual charge during the present year, that provision will be limited only to the last moiety, which is something under £300,000. The exact sum is £284,000. The estimated expenditure of the present year will stand in this wise — the interest on the Debt actually payable in the year, and providing for the completion of the measure of the right hon. Gentleman the Member for South Lancashire for the conversion of the £5,000,000 of Debt, which, from circumstances to which I shall afterwards have to refer, is not yet completed—the total interest on the Debt actually payable, providing for that conversion, will be £26,000,000. The other charges on the Consolidated Fund will amount to £1,900,000. There is an increase—though a slight one—which arises from a change in the mode of meeting certain charges. Thus the salaries of the Masters of the Law Courts, which were formerly paid by fees, have been transferred to the Consolidated Fund, as the fees have been converted into stamps—the increased charges on the Consolidated Fund caused by this transfer will be balanced by the increased receipts under the head of Stamps. The Army Services, including the Supplementary Vote for £500,000, will amount to £15,253,000, the Navy Services will reach £10,926,000; the Civil Service, £8,203,000; the Revenue Departments, £5,045,000; the Packet Service, £807,000; making a total estimated expenditure for the year of £68,134,000.

I now proceed to state in what manner the income to meet these estimated charges is to be obtained. We estimate the Customs income for the year at £22,000,000. That is a diminution certainly upon what was received during the year just terminated; but there are special reasons, and which are to us apparently valid, for that estimate; there were exceptional circumstances concerning the consumption of sugar and rum last year, in consequence of the scarcity of barley, which very much affected the Revenue; and it would not be prudent to estimate the Customs at a higher figure than £22,000,000. The Excise we estimate at £20,700,000; Stamps (including £100,000 for Common Law Stamps), at £9,550,000; Taxes at £3,500,000; the Property and Income Tax, £6,000,000; Post Office, £4,650,000; Crown Lands, £340,000; and the Miscellaneous we put at £2,600,000. Under this last head there is an increase upon the previous year, which I think was £2,350,000; but there are items of a special character to the amount of £255,000 which will accrue this year. These are: —estimated balance of Common Law Fee Fund, released under the recent Act, after paying salaries, &c., £80,000; the Japanese idemnity, estimated share of Great Britain, after paying the other Powers, £68,000; constabulary fines and penalties from Ireland, the salaries being provided for the future in the Estimates, £70,000; and re-payments by the Post Office and Mint, and other charges connected with the Post Office Annuities, and Mint, re-payable to the Exchequer, £37,000. These justify us in placing the Estimate under the head "Miscellaneous" at £2,600,000. The total estimated income for the year will therefore be £69,340,000, as against an estimated expenditure of £68,134,000; and this will leave an estimated suplus of £1,206,000 for the ensuing year.

Now, Sir, it is extremely easy, in making the Financial Statement, to proceed to this point; but, having shown that we possess a surplus, our difficulties commence when we begin to consider how that surplus is to be dealt with. There can be no doubt that, leaving a moderate but sufficient balance, there is a sum, and not an inconsiderable sum, which may be applied to the general relief of the community. The question then arises in what manner this sum can be best applied in giving that relief. Of course, the first impulse of every mind under the circumstances would be to consider what taxes might be most advantageously remitted. I would, however, remind the House that the remission of taxation during the last ten years—I take that period because it dates from the termination of the Russian War — has been very considerable. Irrespective of the reduction in the Income Tax, which never stood at so low an amount as it does at the present moment—namely, 4*d.* in the pound — irrespective, I say, of the reduction in the Income Tax, the remission of taxation during the last ten years, over and above the amount of taxes that have been imposed during that period, has not been less than £11,000,000 per annum. When, therefore, we consider the great reduction of the Income Tax, and the other great remissions of taxation, it is not very surprising that it is difficult to fix on any particular tax of that extreme severity and apparent injustice that all minds will agree at once that the resources of the country should be directed to alleviate or remove it. There is, indeed, no tax at the present moment that injuriously affects the industry of any class of the community, except that affecting the industry of the producers of barley. I cannot avoid seeing that the incidence of the malt tax injuriously interferes with the industry of a considerable portion of the community. But to deal with that tax would involve a very large question. I have, indeed, in my generation, carefully considered this question, and I have shown no desire to evade the difficulties attending the re-adjustment of a system which, as it at present exists, injuriously and inequitably affects the industry of a considerable portion of Her Majesty's subjects. I have, however, come to the conclusion that it is impossible to deal with the malt tax, unless you do it in a very comprehensive and effectual manner. It is quite impossible, with the resources at my disposal, that I can deal with this tax in this manner. Putting aside the malt tax, there is no particular tax that can be particularly alleged to be one that unduly interferes with the industry of any portion of the community, or which from its severe and unequal pressure demands our immediate attention. There is no tax, of course, of which the removal or the reduction may not be vindicated and upheld by the most plausible reasons; but I maintain that, generally speaking, there is no particular tax—with the exception which I have acknowledged, and with which I confess my inability to deal—there is no tax which demands, before any other, special consideration or immediate attention.

Then, Sir, what is the next mode by which relief can be given to the general interests of the country? The next mode, of course, is the reduction of Debt. The attention of the Committee will be obviously directed to the consideration of that question. Now, it is impossible to deal effectively with the reduction of the National Debt, unless you do it by means of some specific sum which is charged upon the Consolidated Fund, and which is annually applied to that object. Of course, in considering the question of the reduction of the Debt, I do not want for a moment to advert to the existing law, by which occasional surpluses, when our account every quarter is periodically settled, are appropriated to the reduction of the National Debt. I take it for granted that no Gentleman on either side of the House wishes to interfere with the action of that law. It is founded on scientific principles, it is, as far as it goes, extremely useful and beneficial, and the effects of which have to a certain extent been satisfactory. But that is not a course of legislation by which we can deal on any large scale with such a question as the Public Debt. Now, if we admit that the only way of dealing effectively with the Public Debt is to deal with it by some specific amount which shall be charged upon the Consolidated Fund, there are only two modes by which we can operate. The first is by a charge of that character, voted annually, when the Financial Statement is made, the amount of which shall be employed in the purchase and cancelling of stock and other public securities—in short, what is called a Sinking Fund. Now, I have myself always looked with great disfavour upon that mode of operating on the Debt. I have always felt that, however sound might be the situation at the time when such a fund is established, whenever a strain should come upon our resources, such a fund would infallibly cease to operate. The last attempt made to establish a Sinking Fund upon this principle was made during the Russian war by the excellent Sir George Lewis; and I felt it my duty then to oppose the proposition. I was supported in that opposition by the right hon. Gentleman my predecessor — a rare and gratifying incident; but notwithstanding our united efforts, I am sorry to say we were completely defeated. But, Sir, Ministers—even those who are so popular as Lord Palmerston — are totally uninfluential in the long run against the inexorable logic of facts; and in a very short time there was no surplus to feed the Sinking Fund, and the only way in which the Sinking Fund could have been supplied would have been by the imposition of new taxes upon the community. That strain upon our resources which adversity brings, and which the right hon. Gentleman and myself had contemplated, did occur. I happened to be in that year, 1858, Chancellor of the Exchequer, and I had the melancholy satisfaction of proposing to the House that the Sinking Fund should be terminated; and I think there never was a proposition which was agreed to with greater unanimity; because the House thought that to inflict upon the country new taxes at a moment when, like the present, there was considerable monetary disturbance and pressure — and that to the amount of £1,500,000—for the purpose of paying off debt, would be to involve ourselves in a ruinous and really silly proceeding; and I think that was the last effort which will ever be made to establish a Sinking Fund upon the old principle. However, there is another method by which the reduction of the Debt can be effected. The Committee are of course aware of it. You may grant Terminable Annuities, or you may even do better—you may convert Stock into Terminable Annuities; and that is a proceeding for which there are great facilities in this country, because the Government themselves are very great holders of Stock; they hold Stock to the amount of many millions on account of the savings banks and other interests. Last year the right hon. Gentleman (Mr. Gladstone) called our attention to this subject. He was impressed with the policy of dealing with the amount of our National Debt. He thought there having been a great remission of taxation for many years, that the time had arrived when we ought to consider whether our surplus revenue should not be employed to that object. Now, Sir, although the right hon. Gentleman, when he opened his scheme, commenced with a sneer at myself, in consequence of an expression which I had once used in regard to the Public Debt—but which I had never used in this House, and which therefore it was unnecessary for him to have taken notice of—

Mr. GLADSTONE said, that he did not on that occasion allude to the right hon. Gentleman.

The CHANCELLOR of the EXCHEQUER: Well, I suppose my natural egotism induced me to appropriate the right hon. Gentleman's remark to myself. At any rate, I am responsible for using a very familiar expression regarding the Public Debt, though my respect for the House will not allow me to repeat it. I did answer a great booby on the hustings of my county, who quoted the great amount of our National Debt as a reason why we could not vindicate the honour of the country, or even defend its independence, that, compared with such considerations the Public Debt would be—I will not use the familiar expression—but that it might be compared to the incision of the most troublesome though not really the most unpopular of insects. Now, although the right hon. Gentleman commenced his speech with that quotation, which, with the egotism that influences all men, I really thought was intended for myself, because I was guilty of the phrase, I entirely approved of the policy which it enunciated. I thought it a wise policy and a sound policy. The measures which the right hon. Gentleman brought forward to effect that policy were numerous. In some instances I thought them unnecessarily complicated, and, further, that they attempted to deal with too great a space of time, and penetrated farther than it is necessary for Parliament to follow the scheme of a Minister. But these were small objections compared with the character of the policy itself, and I, and those with whom I act, entirely approved of that policy, and supported the right hon. Gentleman throughout.

I must now very succinctly call the attention of the Committee to the general character of those plans of the right hon. Gentleman; because one of them indeed very much affects—whatever may be the decision as to the proposals that I am going to make at the present moment—the state of our finances. The right hon. Gentleman proposed first to cancel Debt to the amount of £5,000,000 which we owe to some of the savings banks, by its conversion into an annuity, which was to terminate in the year 1885—eighteen years' time. One moiety of that £5,000,000 belonged to the Post Office savings banks, and the other moiety to the old savings banks. The measure was agreed to; but before it could be carried into operation very great changes had taken place in the monied world, to which I have already referred, and it became impossible at that time to carry out the original intention. But fortunately there was what was called a suspending power in that Act—the Chancellor of the Exchequer had discretion to suspend its operation, if necessary, and generally to act as circumstances would allow him for the completion of the scheme. Now the £2,500,000 that was applicable to the Debt owing to the Post Office savings banks was operated upon immediately; but there happened to be a considerable panic in the country, which caused a run upon the old savings banks, and the trustees of those savings banks did not feel justified in consenting to the conversion that was intended. They felt that, if the distrust continued to prevail, they might be called upon to realize other securities at greater loss and inconvenience than would result from realizing the stock which was to be converted—and at one time it even seemed probable that they would have had to fall back on the great debt that we owe to the savings banks, and which the right hon. Gentleman formerly explained to the House. But I am glad to say that we now live in different times—those circumstances have disappeared, or are fast disappearing; and I hope, and, in fact, feel confident, that we shall very soon be able to complete the first part of the right hon. Gentleman's plan—that which was agreed to—and I have accordingly made provision for it in the charges for the present year. It was necessary to advert to this in order to explain the amount of the interest of the Debt; but I think that the Committee may fairly assume—certainly for this evening in deciding upon our general policy—that the operation of the right hon. Gentleman will be completed.

The next operation proposed by the right hon. Gentleman was of a much more considerable character. He proposed to deal with no less than £24,000,000 of the Debt. It was an operation which would at once cancel that amount of debt by its conversion into annuities to terminate in 1885. That operation he termed "operation A;" and then by a second operation, which was described as "operation B," we were to deal with such amount of the Terminable Annuities as represented the capital advanced; and fresh conversions were fixed upon this part of the arrangement—the operations extending to a very long period—I think its final solution was not to occur until the year 1905. At that time I expressed my opinion that that part of the scheme appeared to me of too complicated a character for us to adopt, and one which would unnecessarily extend the sphere of legitimate financial operations. But those were criticisms which, after all, do not affect the principle of the measure. Although, however, neither of those measures of the right hon. Gentleman has really ever come into operation, it would be a great mistake to suppose that that fact was occasioned by any change in the Government. Her Majesty's Government entirely approved the general policy of the right hon. Gentleman on the subject; and, if circumstances had permitted it, although they might have slightly modified some of the secondary arrangements, they would have loyally attempted to carry it into effect. But very considerable changes occurred in our financial position; and when we acceded to office we found that the surplus upon which the right hon. Gentleman counted as the basis of his operations had been already considerably diminished; and circumstances were hourly occurring which created a further diminution or an almost entire absorption of it. There were the circumstances of the cattle plague, the distress of Irish railways, the battle of Sadowa, which brought about a complete revolution in our small arms, and other circumstances no doubt familiar to the Committee, which materially affected the surplus upon which the right hon. Gentleman had counted. The consequence was that it was quite impossible to proceed with that operation; and the House will perhaps recollect that on coming into office I made a statement on the subject, the fairness of which was not contested, and the policy of which was assented to by the right hon. Gentleman.

Now, Sir, I wish the Committee to consider to-night a proposition — the effect of a proposition — which I am going to make in reference to this large sum of £24,000,000, which is of a simpler description than that recommended to our notice last year by the right hon. Gentleman; but to the merits of which, if the proposition have any merits, the right hon. Gentleman is solely entitled. What I wish the Committee to consider is the effect of cancelling this debt of £24,000,000 by granting Terminable Annuities which shall cease in 1885; and which shall not be accompanied by any of those more complicated arrangements which would have extended it to the year 1905. Before, however, the Committee decide on the proposition which we recommend, perhaps they will allow me to give some figures which will be explanatory of the result, and without which they can scarcely come to a decision on the subject. It is necessary that the Committee should bear in mind that this sum of £24,000,000 consists of two amounts. One is a sum of £18,000,000, and the other of £6,000,000. The interest upon these two amounts is payable at different times in the year, summer and winter—on one in July and January, and on the other in October and April. The plan we wish the Committee to consider is this: we propose to convert the £18,000,000, now yielding an interest of £540,000 a year, into an annuity of about £1,332,000 per annum, terminating on the 5th of July, 1885, and payable half-yearly, the first quarter to be payable on the 5th of July, 1867. We propose to convert the £6,000,000, now yielding an interest of £180,000 a year, into an annuity, terminable on the 5th of April, 1885, of about £440,000, payable half-yearly — namely, on the 5th April and the 10th October, the first quarter to be payable in October, 1867. The total of both annuities will be £1,776,000. We have got an annuity, then, of about £1,776,000 by which to cancel this debt of £24,000,000. I wish to show to the Committee the amount of the annuity which will be payable in the present financial year. There will be one quarter payable on the 5th of July, 1867, on the annuity of £18,000,000, which will be £333,000, and a half-year on the 5th of January, 1868, on the same annuity, which will be £666,000. There will be, on the annuity for £6,000,000, a quarter payable on the 10th of October, 1867, amounting to £111,000. But we must add to our liabilities the interest of those two capital sums until the dates of conversion—making, firstly, for the one half-year on the £18,000,000 due the 5th of April, 1867, £270,000, and secondly, for the one half-year on the £6,000,000, due the 5th July, 1867, £90,000, being a total of £1,470,000. But then of course we must deduct from that sum the interest we are now paying during the year for the £24,000,000 stock debt, which amounts to £720,000—so that the total additional charge for 1867-8 will be £750,000.

It will be necessary, in the next place, that I should put before the Committee what will be the effect of this operation in its entirety, and therefore I must take the next year, and see what will be the complete charge on the Consolidated Fund when the whole shall be in operation for the entire year. The future annual charge will be £1,776,000, less of course by the amount of the annual interest we are now paying on the capital sums to be converted, which is £720,000. Therefore the increase of annual charge from 1868-9 up to 1885, when the annuity will cease, will be £1,056,000 per annum. But I must remind the Committee that the "Dead Weight Annuity" which amounts to £585,740, from which the country will now be totally freed, has to be deducted; and therefore, practically, the increase of annual charge by which we shall cancel this £24,000,000 of debt, will be a sum less than £500,000 a year. That is the proposition which we recommend to the Committee to adopt. It is a sensible and very considerable reduction of our Public Debt; amounting, coupled with the original measure which the right hon. Gentleman carried last year, and which I hope to bring to completion, to £29,000,000; and, practically, it will be effected, as far as £24,000,000 is concerned, by a charge less than £500,000 a year.

Now, Sir, if the Committee will, after consideration, adopt the measure we recommend, the surplus of the year will be reduced by the sum of £750,000, and there will still remain a surplus of £456,000. Now, under ordinary circumstances, if the balances in the Exchequer were in the same condition as they were in this time last year, I should not hesitate to recommend the Committee not to deal with that surplus. If our balances were £1,000,000 or £2,000,000 less, I do not think it would be wise to reduce a surplus of £456,000. But in the present state of our balances I think that we are justified in dealing with this portion of it. That portion cannot be very considerable; but the great point is to employ our resources in the manner which will be most effective, and which will give the most sensible relief to the community. Although the amount is not large, there are several modes by which it may be beneficially appropriated. After much consideration of the subject it appeared to Her Majesty's Government that the manner by which the most extensive relief could be given would be by dealing with the question of Marine Insurances. That is a portion of our fiscal system which has long been open to various objections, and to which all persons who are interested in the transactions of trade have frequently called the attention of the Government. The Committee are probably aware of the extremely complicated character of the law as at present existing in reference to the tax upon Marine Insurances. These duties are based upon the principle of a graduated scale, and in that scale there are a great many degrees. They commence by 3*d.* per cent, and they go as high as 4*s.* per cent. They are so framed that precisely as the premium is higher—that is to say as the danger is greater—the duty increases. Therefore you are really taxing risks and inflicting a penalty on the incurring of danger. Now, that is a principle which I cannot think the Committee will for a moment approve of. Moreover, the tax in its present form has led to great evasions; it is a great restriction upon commercial intercourse; and in an infinite variety of ways this complicated arrangement of the duties of Marine Insurances exercises a very baneful influence upon our general commercial intercourse. What we propose to do is—with one slight exception, which is rather of a technical than of a fiscal character—at least it is rather a technical than a fiscal reason which influences us—is to establish one uniform rate of Marine Insurance, and to fix it at the lowest amount which now prevails. Therefore you will have for all policies, whether they be time policies or voyage policies, a uniform rate of 3*d.* per cent, except in the case of time policies exceeding six months, the duty on which will be 6*d.* per cent. And the reason is that if that arrangement is not made no policies will be negotiated except time policies of the length of twelve months. Now the fact is that time policies for twelve months are not in accordance with the spirit of the age, nor the circumstances under which we live; and there is no reason why time policies, with the rapid communication at present at our command, should be for a longer period than six months. But, certainly, unless that increase is made with regard to time policies after six months, it will have an injurious effect upon all voyage policies; and therefore we recommend that, in establishing what we wish to make a uniform rate, that exception should be sanctioned, with the conviction that after a short time the fashion of time policies for twelve months will become a thing of the past.

Now, Sir, I have informed the Committee of the state of our finances and our surplus, and the mode in which we recommend the Committee to deal with that surplus. [An hon. Member: What is the amount of the reduction of the Marine Insurance?] It will cost about £210,000;

and will leave a surplus of £246,000, not an excessive, but, I believe, an adequate surplus, considering the state of the finances and the general condition of the country.

I have placed before the Committee the present general state of our affairs, and the mode in which we recommend them to deal with this surplus. But there are one or two other points which I ought to mention to the Committee or rather remind them of. They are aware, of course, that the tea duties annually expire in August, and that the Income Tax expires within twenty-four hours. It will therefore be necessary for me to take these Votes this evening, and the Committee, I apprehend, will make no difficulty in their renewal. In November of this year, and in March of next year, Exchequer Bonds to the amount of £1,700,000 will become due, but we recommend them to be renewed. The floating debt of the country is very small, and it is really for the public convenience that they should be so renewed, and it is not with reference to any financial operation that I recommend it to-night, but because I think that, under any circumstances, it would be politic to renew them.

Sir, I believe I have now informed the Committee of everything, and I hope they will approve of the propositions we have made for the reduction of the Debt. I am not myself an alarmist in public affairs. I do not awake in the morning believing that the country is going to be involved in a great European War. I have great confidence in the sagacity with which our affairs are managed by my noble Friend (Lord Stanley), and I hope that any expectations that are afloat in the air may not be fulfilled; but it is impossible to shut our eyes to what is passing around us—to the state of Europe. The state of Europe is remarkable — it is at present an armed camp; and although I trust and feel confident that, so long as my noble Friend retains the management of our Foreign Affairs, we certainly shall not be involved in any unnecessary war, still at this time, when we are speculating on the fortunes and destinies of the nation, it is impossible to shut our eyes entirely to contingencies which, however improbable, may occur; and certainly I think that, if a Chancellor of the Exchequer is called upon to go into the market to raise money, he will walk with a prouder mien, and experience greater facilities in raising money, if it can be shown that in the day of our prosperity we have made an honourable and an honest attempt to reduce the amount of our National Debt. [*Cheers.*] I hope I may construe that expression of feeling on the part of the Committee as sanctioning the measures which the Government have recommended to them, and with that observation, I will take the liberty of placing in your hands, Sir, this formal Resolution.

Motion made, and Question proposed,

That, towards raising the Supply granted to Her Majesty, the Duty of Customs now charged on Tea shall continue to be levied and charged on and after the 1st day of August 1867 until the 1st day of August 1868 on the importation thereof into Great Britain and Ireland, viz.

		s.	*d.*
Tea	the lb.	0	6

Mr. CANDLISH said, he would take the earliest opportunity of thanking the right hon. Gentleman the Chancellor of the Exchequer for his proposed reduction of the duty on marine policies. Considering its amount there was no tax that acted so prejudicially to the trade of the country, and was so anomalous in its character, as the marine insurance duty. The right hon. Gentleman by this change was rendering great service to the commercial marine of the country. He would also congratulate the right hon. Gentleman on the simplicity, and quiet, unassuming character of his Budget, and the extreme good sense in which it had been conceived. He ventured to say that it would commend itself to the general acceptance of the House.

Mr. LAING said, that was not the time to enter into any detailed discussion of the measures which had just been submitted to the Committee; but as the principle of the reduction of the National Debt had been discussed at such great length last year, he thought it advisable to offer a few words of warning on the subject. He would not then offer a decided opinion upon the proposition which had just been made to the Committee in reference to the Debt, because it was one that required very great consideration before the House committed itself to its adoption. A nation, like a landed proprietor when he found himself embarrassed with a heavy debt, might adopt either of two principles in dealing with its liabilities. It might proceed to get rid of the debt, either by paying off part, while the value of the estate remained the same, or he might continue to pay the interest keeping the amount of the debt the same while he employed the surplus revenue in improving the value of the estate. In this country we had proceeded for a long series of years on the latter principle; and that principle was summed up in a few words by the late Lord Sydenham, when he said that "the money of the country should be left to fructify in the pockets of the people." The practical result of that system might be seen by contrasting our present state with that of 1815, at the termination of the great war; the income of the country had increased three or fourfold, while the charge for the National Debt had slightly diminished. He wished to point out that the proposed system of temporary annuities to a certain extent involved the principle of a sinking fund. What was a temporary annuity after all but a compulsory sinking fund? It differed from an ordinary sinking fund in this—that being unable to trust their own virtue they pledged themselves to their creditors. Several inconveniences were inseparable from such a mode of proceeding. First, it was a more expensive way of paying them off than the simple straightforward process of going into the market and buying up whatever the amount of surplus revenue permitted. In the next place, as being a compulsory sinking fund it was open to the objection that it created engagements that must be met, although circumstances might have completely changed in the meantime. In the instances referred to by the right hon. Gentleman of money being borrowed for the Crimean war, if instead of applying the sinking fund, they had applied terminable annuities, they would have found themselves in exactly the same position—in the first year in which there was not a surplus they would have been obliged to put on increased taxes or borrow money. He merely pointed it out because the objection was certain to be raised when they came to consider the principle of the measure. With reference to the alleviation of the burdens of the people, he did not think they had yet arrived at that millennium in which there were no bad taxes to reduce. On the contrary, the discussions which had taken place respecting fire insurance made it obvious they clearly were not in that position; and the discussions of last year on the post-horse duty, and other taxes of that description, showed there were still taxes which pressed heavily on the humble classes of the community, and which ought to be taken into consideration, when there was a surplus to dispose of. He reserved his opinion whether the whole or a portion of the present surplus, instead of being applied to the reduction of our National Debt by the establishment of temporary annuities, should not go to a further reduction of our present taxation.

Mr. MARSH congratulated the Committee on the very flourishing state of the revenue, notwithstanding the panic and the deficient harvest, from which the nation had suffered severely. He also congratulated the Chancellor of the Exchequer on the improved method of keeping accounts, under which fees which used to be paid to officers of Chancery and others were now to be paid to the Exchequer, and the salaries paid out of the Consolidated Fund. This was a step in the right direction, and there were other parts of our financial system in which similar changes might be made with advantage. He quite agreed with the hon. Gentleman the Member for Wick (Mr. Laing) that there were many taxes still in existence which were very disagreeable and ought to be removed at the first opportunity. Some he thought actually did more harm than was compensated for by the revenue which they produced. In this class the licenses might be included. They were most objectionable. The tea licence caused that article to be sold dearer, whilst the Exchequer got very little by it, and the purchaser of a glass of sherry wine at a confectioner's, paid 700 per cent more for it than he ought in consequence of the licence.

Mr. DENMAN said, he rose merely to state the course he intended to pursue with reference to the Bill now pending (the Attorney's, &c., Certificate Duties Bill) the second reading of which was adjourned a few nights ago. He did not wish to interfere with the chorus of approbation with which the Budget just disclosed had been greeted, beyond saying that he looked upon it as a grand testimonial to the success of the financial measures proposed during late years by the late Chancellor of the Exchequer; but he never could consent to consider a Budget as entirely satisfactory which made a portion of its surplus depend upon the continuance of an unjust and oppressive tax. He would have preferred leaving the surplus at £156,000 rather than £246,000, for it was perfectly certain that in the course of the year there would, owing to the elasticity of our commerce, again be an ample surplus in hand, and an unjust and oppressive tax of £90,000 a year might have been given up at once. He should consult those of the profession most interested in the Bill with regard to the course proper to be pursued in relation to it; and if they were so enamoured of the Budget as to think that it ought not to be interfered with, even to the extent required to do them justice, he should not press the Bill forward in the present Session, otherwise he should name a convenient day for proceeding with the discussion on the second reading of the Bill in question.

Mr. WHITE said, he regretted he was unable to express his concurrence in the approbation which the Budget of the right hon. Gentleman had already elicited from the House. Its great blot was that it began by asking from the people £2,000,000 more than was disbursed last year. He had on several previous occasions protested against the magnitude of the expenditure proposed by the late Chancellor of the Exchequer, and had often urged on him the necessity of practising the economy he habitually inculcated. He must say that the present Government beginning by inaugurating so large an increase in the national expenditure led naturally to the inference that they were not merely indifferent, but absolutely adverse to public economy. In following the financial policy of the late Chancellor of the Exchequer, the right hon. Gentleman had also imitated his eminent predecessor in his estimate of the incoming revenue of the current year. The right hon. Member for South Lancashire (Mr. Gladstone) used systematically to under-estimate the amount of the revenue, his desire being to apply as large a surplus as he could to the reduction of the National Debt. This was no doubt a very laudable ambition; but he (Mr. White) would rather the funds appropriated to such an object should be derived from a diminished expenditure than from an increased draft on the industry and earnings of the people. With regard to the proposed reduction of the Marine Insurance Duty, he thought it would be better to abolish it altogether. By the Finance accounts for the year ending the 31st March last he found the net produce of the Marine Insurance Duty was £472,561 8*s*. 6*d*., and seeing what a large amount of Marine Insurances were effected abroad, he was convinced that the total abolition of the duty would lead to a vast augmentation of the underwriting business of this country. Again, our tariff was still disfigured by several duties which ought to be abolished. According to a recent Return he found, for instance, that the gross revenue derived from a duty of 1*d*. per pound on almond paste was £1. From the same rate of duty on dried cherries £7, and comfits £9, the duty on the latter must, however, be retained, on account of the present scale of sugar duties. He (Mr. White) did not hesitate to express his conviction that it would have been much more conducive to the prosperity of the country had the Chancellor of the Exchequer proposed the immediate abolition of all duties on coffee, cocoa, chocolate, currants, raisins, and other dried fruits, instead of the Budget which was now so favourably received by both sides of the House.

Sir GEORGE BOWYER said, he considered that the proposals of the Chancellor of the Exchequer for the reduction of the National Debt left the House in the same difficulty as they were placed in by the Budget of the right hon. Gentleman the Member for South Lancashire last year. He agreed in what had been said by the hon. Member for Wick (Mr. Laing) that these complicated plans of terminable annuities and so forth resolved themselves into nothing more nor less than a sinking fund, which he (Sir George Bowyer) regarded as an awkward and inconvenient way of paying debts. They could not get 1*s*. more out than they put in. What, he asked, would be the result of the extinction of the £24,000,000 in eighteen years? Why, simply that there would be a surplus of something more than £1,500,000. But they had very nearly got this now; so that it was in reality as broad as it was long. It seemed to him that the more advantageous plan would be to pay the money over manfully at once, and thereby extinguish so much debt. He thought there were many taxes which might be reduced without detriment to the revenue; and one of these was the duty on fire insurances. The right hon. Gentleman the Chancellor of the Exchequer had said that in the event of a war the then Chancellor of the Exchequer would be able to go into the money-market with greater advantage on account of this arrangement for the prospective extinction of the Debt than he could otherwise do. He (Sir George Bowyer) could not see this; as it appeared to him that the Chancellor of the Exchequer would have a better chance of borrowing money if he could say, "We have £1,000,000 surplus available now," than if he said, "Eighteen years hence £24,000,000 of debt will be extinguished." What were £24,000,000 in comparison to the whole amount of the Debt? They were really not a bit more than the bite of that insect which had been referred to on a former occasion by the Chancellor of the Exchequer. The scheme of the right hon. Gentleman dealt with a very serious matter in a very trifling way. It reminded him, in fact, of the proposal of the schoolboy who, hearing people say what a dreadful thing the National Debt was, said he would gladly give half his pocket money towards paying it off. He was unable to see any merit in the proposed arrangement. In the event of a war breaking out, the Chancellor of the Exchequer would not be able to borrow money more advantageously than if these prospective reductions of the National Debt had not been determined on; but, on the contrary, he would then have reason to regret that he had pledged himself to this increased annuity. Indeed, the scheme was worse than the old Sinking Fund, which might be given up at any time when necessary, and the surplus revenue taken. In the present instance, however, a pledge was made to give up the surplus revenue for eighteen years; and even if a war broke out, the arrangement could not be changed.

Mr. HUBBARD said, the latter part of the right hon. Gentleman's statement had given him unmixed satisfaction. Last year it was his duty to call the attention of the House to the exceeding demerit of the tax upon marine insurances; and he hailed with great satisfaction the announcement that the tax was to be equalized and reduced to a minimum. Here, however, his satisfaction stopped. He regretted to find that the Chancellor of the Exchequer had re-produced a portion of his predecessor's last year's financial proposals, touching the terminable annuities. He (Mr. Hubbard) could not but express his deliberate disapproval of any sort of plan for reducing the National Debt while we had taxes pressing upon the industry and the prudence of the country, such as the duty upon fire insurances. When the hon. Member for Stafford (Mr. H. B. Sheridan) proposed that the House should repeat for almost the tenth time its condemnation of that obnoxious tax, he (Mr. Hubbard) had taken the liberty of interposing, and begging the hon. Gentleman, out of courtesy to the new holder of the financial seals, not to press his Motion. He did so because he could not think it possible that the Chancellor of the Exchequer, having in mind the numerous times the House had pronounced its views, could delay obedience to them, if any opportunity were offered of dealing with the impost. An opportunity had now arrived. We had a surplus of more than £1,000,000; and that surplus would more than exterminate the tax. Its original amount was £1,600,000; but half had been abolished. There had, no doubt, since been an increase; but he believed that the present produce of the duty would not exceed £900,000. There was not a man in that House — there was not an economist in the country—who had not pronounced this tax, both in practice and in principle, to be one of the most mischievous that was ever devised. Although it was true that in time of war or pressure the House might be obliged to maintain, or even to impose, taxes which were injurious, it was "a new and horrible thing" to pretend to reduce the National Debt by such means. The fire insurance duty was a tax, not upon the rich, but upon the middle and poorer classes, who could not afford to run the risk of fire; and it ought not to be continued for any such purpose as paying off £1,000,000 out of a debt of £800,000,000. He should therefore at a fitting opportunity feel it his duty to move a Resolution to the effect that, until the fire insurance duty is abolished, or considerably reduced, this House is not prepared to enter upon the consideration of any mode of reducing the National Debt.

Mr. GLADSTONE: Mr. Speaker—Although, Sir, it is the general rule of the House that those Members who have the advantage of hearing the propositions of the Chancellor of the Exchequer should postpone the declaration of any final judgment upon them, yet there are two reasons which make me desirous to address you on the present occasion. One is, that I think the simple character of the statement which has been so clearly submitted to us by the right hon. Gentleman makes it easier than under other circumstances it might have been to appreciate the nature of his proposals; and secondly, he has referred so pointedly to a portion of the scheme which it was my duty to submit to the House last year, that I think, not feeling myself incompetent to do so, it is only fair that I should give him at once the opinion which I form on the proposals he now makes. With respect to the retrospective part of that proposal I shall be very brief; but I will venture to refer to one or two points on which it is possible that the right hon. Gentleman is in a position to give us further information. He did not enter upon any details with respect to the sources from which the great increase in the revenue from the Customs and Excise during the year 1866-7 has proceeded; and I confess that I should be very glad if the right hon. Gentleman had given us the particulars, which I feel could not fail to be full of interest. The case of the Excise is, indeed, a very remarkable one, and well deserves the special attention of the House. I think the right hon. Gentleman stated at £900,000 the amount of augmentation which has taken place in the revenue of the Excise over and above the Estimate submitted last year. Now, Sir, I think these figures are among the most extraordinary that have ever been submitted to the House of Commons—and particularly on account of the singularly unfavourable character which the season of last year assumed, at the most critical moment, with regard to the yield and especially with regard to the quality of the barley harvest, upon which commonly it may be reckoned —at least, it has in former times been reckoned—the malt tax will depend to the extent of £500,000 or £1,000,000. To judge from the gross figures before us, and from such fragmentary information as has reached me, I am under the impression that, notwithstanding the exceedingly unfavourable character of the weather of last August and September, which seemed in a great degree, in many parts of the country, not so much to damage as almost to destroy the barley crop for malting purposes, yet I apprehend we must be in the condition of having received from the article of malt a revenue as large as, or probably even larger than, we ever have received in any former year. If so, this is a circumstance of very great interest and importance, for it seems to show that the consuming power of the community, even in regard to this, which the right hon. Gentleman seems to consider rather persecuted article, has reached such a point that beer must be brewed whether there is a fine barley harvest or not, and that the brewers, partly availing themselves of the resources opened to them by foreign barley, of which a considerable portion is of high quality—and partly falling back on sugar and other materials, produce, even in a year of a very bad barley harvest, an amount of malt duty not less than that obtained in former years, even with the advantage of a very good barley harvest. It would be extremely interesting to be assured of this satisfactory circumstance, because it implies the removal of an element of very great and perplexing uncertainty which has always had to be encountered in calculating the revenue of the country. I presume, also, there must have been a considerable increase in the revenue from spirits, and consequently that the present working of the very high duties imposed for fiscal purposes may be judged, as far as present experience goes, to be satisfactory. With respect to Stamps, I observe that the actual revenue appears to have fallen slightly short of the Estimate submitted by me about twelve months ago. I shall be glad to know, if the right hon. Gentleman happens to have the information at hand, what are the items to which the shortcoming is to be attributed. [The CHANCELLOR of the EXCHEQUER: The total is only £20,000 short.] The total deficiency is only £20,000; but although not in the same degree as the revenue from Customs and Excise, yet of late years the revenue from Stamps has exhibited a remarkable elasticity; and this year, as I am reminded, there ought to be some receipts from the Courts of Justice Stamps above those included in my Estimate. I shall be glad to know what has been the actual result of our financial operations with regard to the Fire Insurance Duty. My hon. Friend who has just sat down (Mr. Hubbard) still apparently clings to that phantom expectation for which he has always had a great attachment, and for which some hon. Members have had a greater and warmer attachment. I mean, that a great reduction of the Fire Insurance Duty could in a great degree be compensated for by an augmentation in the number of insurances. [Mr. HUBBARD: I never said such a thing in my life.] My hon. Friend said just now that he anticipated that the revenue had been increased some £100,000 in consequence of the diminution of the duty; and therefore my hon. Friend has, not only in his life, but within a very recent portion of his life, said something which I, perhaps, put rather strongly—possibly more strongly than the form of expression justified—but something which indicated an expectation that a very considerable increase of revenue had followed the reduction of the duty. It would be important and interesting that even now or on a future occasion we should be favoured with the exact figures of the right hon. Gentleman, because it is now two or three years since the first reduction of the Fire Insurance Duty was made, and the case can now be put completely before us. As far as my knowledge goes, there was no reason to suppose that the revenue from Fire Insurance Duty would be in so great or considerable degree replaced by the effect of a reduction, when you distinguish between the increase due to that reduction and the regular annual progressive increase which the wealth of the country necessarily produces. The right hon. Gentleman has been able to present to the Committee a most favourable statement of the condition of the country with respect to its financial resources. I consider that one of the most remarkable results of the great change we have passed through with respect to our commercial legislation and the liberty which has been given to the operations of trade has been, that along with a vast increase in the scale of those operations there has been an almost equal increase in their steadiness. It is not that the spirit of speculation is less active than in former times; but if there be a peculiarity of the present time, it seems to be this—that whereas in former times, when what is called a panic occurred, and commercial men experienced a period of pressure, the effect of that pressure was felt in the diminution of the consuming power of the country, and, consequently, in the diminution of the revenue, in a manner which we have now the greatest difficulty to realize. We now seem to pass through years of great and serious difficulty—years like the two last—without their appearing to leave the smallest trace upon the consuming power of the country or upon the revenue which is its produce. That is a circumstance of the greatest possible consolation, and it should encourage us to go forward in the path which we have for so many years been pursuing. I will not dwell at any length upon the subject to which the hon. Member for Brighton (Mr. White) referred. I do not contemplate with satisfaction the augmentation of the Estimates for the present year. The Supplies which were voted last year, the demands for which were laid on the table twelve months ago, amounted to £38,205,000, including the Army, Navy, Civil, Miscellaneous, Packet, and Revenue Estimates. If I have put the figures together accurately, the present Estimates for the same classes amount to £40,234,000, which represents an increase of £2,029,000. It is not upon an occasion like this that this augmentation can be duly analysed, or that the grounds of the claims for such increased expenditure can be discussed. Far less would it be upon an occasion like this, so far as I am concerned, that any endeavour should be made to impart a political aspect to such a discussion. But, speaking generally, I own I do not think the circumstances of the country such as to warrant this very serious additional outlay. I know that on many points it is impossible to question those charges without joining issue in the most serious manner with Her Majesty's Government, and there are particular reasons at the present moment in the gravity of the political issues that are pending why every man must desire not to multiply, but rather to reduce and diminish, those points on which the House, or any portion of it, may be in conflict with the Advisers of the Crown. Certainly, in view of these circumstances, I, for one, should be and am disposed to examine more slightly those particulars than I should be disposed to do in the circumstances of an ordinary year. Some of these augmented charges have reference to purposes of great importance, and I would even venture to hope there are among them items in respect to which discussion in this House may lead to a diminished demand. For the present, however, it is not my intention to go beyond those general observations. I will therefore pass on to consider the mode in which the right hon. Gentleman proposes to deal with the surplus at his command. That surplus, I calculate, is £1,206,000. I may be permitted to observe—not in the way of criticism of what has fallen from him—that nearly the whole of that surplus would actually have been applied during the year 1867-8 to the liquidation of the Debt had the plans of last year taken effect. An Act which was passed early in the year, if carried out to its full extent during 1867-8, would have applied about £150,000 to the liquidation of the Debt in the form of terminable annuities. A greater measure which was pending at the time we quitted office, and which the right hon. Gentleman found himself, owing to augmented charges, obliged to drop, would have entailed, if I remember rightly, for the year 1867-8, a charge of about £1,000,000. Consequently, the whole of the money with which we have to deal is money which, if these plans had been carried forward to their consummation from the time they were introduced, would actually have been disposed of for the purpose indicated. I would depart from the order pursued by the right hon. Gentleman, and deal first with that portion of the surplus which he proposes to apply to the reduction of the Marine Insurance Duty. Undoubtedly, there are a large number of imposts, a list of which it is impossible to survey without feeling a strong desire that it may be in our power, from time to time, to apply to them the beneficial effects of growth in the revenue, and so gradually mitigate the burdens or remove them altogether. I, for one, cannot except to what is said by those who point out that licence duties are among those which it would be most desirable to reduce, and in some cases remove, and altogether and among these especially the duties upon locomotion. In point of fact, they tax, at its very root, the whole raw material of labour, because the movement of the industrial portion of our population from place to place is an essential portion of the cost of production; and these taxes are, therefore, more analogous to the taxes upon the raw material of industry than I think all or any of the other taxes to which allusion has been made. I can assure my hon. Friend (Mr. Hubbard) that I am no admirer of the Duty upon Fire Insurance. All I plead for is that when we deal with that duty—not the part of it which relates to stock-in-trade, but that which relates to buildings—we should remember how closely that duty is associated with property, and should consider this element of the question along with others—the possibility, if we part with it, of obtaining a fair substitute from property in some less objectionable form. I cannot help thinking that if there be a widely spread and earnest desire in the House to make with respect to the Fire Insurance Duty—not that sort of reduction which we sometimes make in order to obtain an augmentation of revenue—but a root-and-branch reduction, so that the act of insurance should no longer be felt to be a sensible burden—if the House were disposed to take that view of the matter, and at the same time were indisposed to grant to property remissions that might be fairly claimed by trade and labour, it would not be difficult to devise some arrangement which would enable them to attain that end. The cases adduced by the hon. Member for Brighton (Mr. White) do not awaken in my mind so much emotion as they have stirred up in his. Nothing, I admit, can be more ridiculous than to read a list of trifling and trumpery articles, happily now very short, on which the duty is still continued, and, at first sight, nothing can be more absurd than to levy £9 a year upon comfits. But then these duties are not to be considered alone; they must be looked on as outworks and defences of great branches of the Customs revenue. What would be the effect of abolishing the duty on comfits? There would be a most enormous increase in the importation of comfits? You would be able to put them into your tea and coffee, and use them there with just as much satisfaction as we now use the article called sugar. Sugar would, in fact, come to us under the name of comfits. Whether, in proposing to reduce the duty on Marine Insurances, the right hon. Gentleman has made the very best choice among the many claims which present themselves, I cannot undertake to determine. But I think these two points may be safely assumed. In the first place, a great deal is due to the initiative of the Government, and to the superior means which the Government must possess for making a selection among many competing claims in the application of a surplus revenue. In the second place, unquestionably, the duty with which the right hon. Gentleman proposes to deal, whether it be or be not the most exceptional upon the list, is a duty which urgently calls for revision. So far as I am concerned, I have not the smallest intention of entering into any controversy upon that point, but shall thankfully accept the very simple, and at the same time the very effective proposal of the right hon. Gentleman respecting this duty, which is totally indefensible in its present form. Then the right hon. Gentleman proposes to leave himself a surplus of £246,000, and I earnestly hope that the House will not countenance any invasion of that moderate sum. My hon. Friend (Mr. White) says I have a habit of systematically underestimating the revenue of the country. Now, if my hon. Friend will only travel back to a period when there was, unfortunately, a greater pressure upon our resources than there now is, and when in certain instances the actual revenue fell short of my Estimates, he will find that at that period I was more than once accused of systematically over-estimating the produce of various branches of the revenue. The truth is that a very salutary practice prevails in estimating revenue—I mean, that of paying very great respect to the opinions and judgment of the able and experienced gentlemen who are at the head of the revenue departments. I say of myself, and I should say of any Chancellor of the Exchequer, it is not wise that the Chancellor of the Exchequer, either of this day or of any day, should take too much into his own hands the business of estimating revenue. You must proceed upon fixed rules, and these cannot be well propounded or applied without a great and determining regard to the judgment of those who are at the head of your Revenue departments. I believe that the right hon. Gentleman has been guided in the Estimates he has submitted to us to-night by just and sound principles; and I am quite sure it would not be wise in us to undertake upon our own responsibility and imperfect information to question these Estimates for the purpose of throwing the right hon. Gentleman into a deficit by our eagerness to deal with some of the taxes which still press upon us. Regarding the £210,000, then, which is to be applied in the reduction of the duty on Marine Insurances and the £246,000 of surplus as fixed points, I come to the measure by which the right hon. Gentleman will dispose of the principal part of his surplus—a fresh investment in those terminable annuities originally created by Sir George Lewis, which will come to an end in 1885. Here I must say—and I say it in no spirit of complaint—I think that in all probability the right hon. Gentleman has exercised a sound discretion in liberating himself from that portion of the measure of last year—which may be called the secondary portion—which dealt with the fruits of the reduction to be effected by the primary portion, and which ranged over a longer period. If I had been able to deal with the measure of last year, I think it is very probable that the same result would have happened. Parliament is justified in saying with regard to such a measure, "Do not take the question too much or too long out of our view. Come back to us when you are prepared to recommend a further adjustment of national income to national debt; but do not ask us for too much at a time." I have no complaint to make of the right hon. Gentleman on that score, and think that, upon the whole, he he has taken the wise course. But now comes the question—Is the basis of his measure just and sound? Here I must say that I have undergone no change in the opinions I held last year, and, moreover, I must express the conviction that of the objections which were stated by several hon. Members last year, and which have been re-stated to-night, a large portion arise from want of minute and accurate acquaintance with the subject, which is of a complicated character, and upon the complications of which the merits of the case really depend. My hon. Friend the Member for Wick (Mr. Laing) is a Gentleman to whose speeches, in regard to financial questions especially, we always listen with the greatest advantage. But I differ from him in what he has said to-night. He tells us there are two systems which he places in contrast one with another, and with regard to which he leaves his own preference not a subject of much doubt. One of these systems is, diminishing your debt; the other is, leaving the money with which you would otherwise diminish debt to fructify for the benefit of the nation through the reduction of taxation. Now it appears to me that that is not a just or a true statement of the case, and that when you talk of the "fructification" of money—I accept the term, which is originally due to very high authority—for the public advantage, there is none much more direct and more complete than that which the public derives from money applied to the reduction of debt. For what becomes of that money? It is not sent to the moon—it is not exported from the country. It finds its way into the money-market of London, and that is the point whence loanable capital finds its way to the most direct and profitable employment in cheapening production and stimulating industry. In my opinion, therefore, it is an entire fallacy to suppose that the question lies between the diminution of debt and allowing your capital to fructify. I contend, on the contrary, that there is no surer method of promoting an immediate and profitable application of capital than by reducing debt. Of course, that proposition would require to be modified under given circumstances. Suppose, for instance, this was a country with a National Debt held mainly by foreign creditors. The question then would assume a different aspect. But in our own case, our National

Debt being held in overwhelming proportion by Englishmen, the money applied in reducing that debt will take its first start in London, where it is paid ; [Sir GEORGE BOWYER: Then why reduce the debt at all?] and I think the proposition may be broadly laid down that such an application of money is immediately profitable, not merely with regard to the commercial and political stability which you acquire by pursuing such a course in finance, but with reference strictly to the industrial pursuits of the country. Then, my hon. Friend (Mr. Laing) says this measure involves the principle of a sinking fund, and my hon. Friend (Sir George Bowyer) dwells much more strongly and with less limitation upon that point, no doubt because he has not studied the subject of a sinking fund so carefully as my hon. Friend behind me (Mr. Laing). Now, I deny that in its ordinary and usual application this measure involves the principle of a sinking fund at all. I cannot justify this denial now, because to do so would require a very long and minute statement. But the essential point in our condition, which relieves a measure of this kind at the present day from the objections applicable to the sinking funds of former times, is that we not only have an Exchequer account, but a great banking account to manage. That banking account is commonly in a surplus, even when the Exchequer is in a deficit. Under no circumstance is it likely, except in the exigencies of war—a general war—that both those accounts should be in a deficit together ; and I will undertake to prove that setting aside the contingency of a deficit so arising, there cannot be the loss of one single farthing from the operation of the measure proposed by the right hon. Gentleman. It is much too complicated to go through the several cases. The essential point to be kept in view is that your banking account is one upon which you have a steady and a uniform surplus, upon the continuance of which you may pretty confidently reckon ; that you are always looking for investments of that surplus from year to year; that those annuities afford the means of making such investments ; and that the profit of your banking account is, in point of fact, your own profit, because it is as much a business carried on for the benefit of the State as any branch of the national revenue. I do not pretend to have proved this proposition. I am only stating the effect which a close investigation of the case will, I believe, produce upon the minds of hon. Members. My hon. Friend the Member for Dundalk (Sir George Bowyer) challenges the whole policy of reduction. He says, "Why reduce the debt at all?" Well, that likewise opens a very wide question ; but I hope that, without pretending to aim at as wide a discussion of that question as it deserves, I may call the attention of the House to a half-sheet Return, No. 69 of the present Session, which contains matter of considerable importance in relation to this point. It may, however, be enough for the present purpose to stand upon this basis—that the reduction of the Debt has been recognised in this country as a principle of public policy ever since our Debt began to be created—with the exception, of course, of those unfortunate periods when we were obliged to go on adding to it ; and that reduction was sought to be effected in two modes—first, by the application of surplus revenue, and secondly, by means of terminable annuities. A principle of policy so established and recognised has something to say for itself even independently of the abstract argument. I may assume that the House of Commons does not intend to reverse that policy. I may, at any rate, throw on my hon. Friend the burden of proof, and say, "Why not reduce your debt ?" The Legislatures and Administrations of this country have established this policy as right ; and let us now see how it has been acted on. From 1834 onwards a regularly increasing sum has been applied to the reduction of the Debt by the fixed operation of law through the medium of terminable annuities. In 1834 a sum of £2,076,000 was so applied. The amount increased progressively; in 1855-6 it passed £3,000,000, and in 1858-9 it was nearly £3,500,000. Then fell in the terminable annuities. In the year 1860-1 we paid only £1,292,000 ; but the payment of 1865-6 was raised to £1,673,000. And now in this year with which the right hon. Gentleman has to deal falls in the "dead weight"—a sum in round numbers of £600,000 ; and if no endeavour is made to replace it, it amounts to very nearly an abandonment of our policy, and is as much as saying that we will adopt no means for a reduction of our Debt, except the application of the casual surplus of revenue. The occasion does not admit of lengthened argument ; but I will quote an example which I think the House will do well to bear in mind ; and I say, let us not be ashamed to follow a good example, find it where we may;—let us not be ashamed to cross the Atlantic and to render a just tribute of admiration to the courage and forethought with which the American people are at this moment bearing a burden of taxation which, both in amount and in kind, makes their conduct a marvel, because they think that the true secret of their future power lies in the steady and rapid reduction of their Debt. Sir, I think that the authority of the British Legislature so adopted—repeated and echoed from the other side of the Atlantic—has a weight which it is very difficult to resist. At any rate, it is worth while to consider what the Americans have really done. The American debt reached its highest point on the 31st of August, 1865, when the total amounted to 2,757,000,000 dollars. Immediately after it reached that point the process of reduction was commenced; and on the 30th of June, 1866, it had been reduced to 2,650,000,000 dollars. By the 31st of October, 1866, it was reduced to 2,551,000,000 dollars; and by the 1st of January, 1867, to 2,543,000,000 dollars. Thus the total decrease of the debt between the 31st of August, 1865, and the 1st of January, 1867, was 214,500,000 dollars, or very nearly £43,000,000, all taken out of the taxation of the country in a period of sixteen months. And, Sir, I must say, passing by the argument of my hon. Friend, when I see such facts I am infinitely more impressed with the greatness of that people, and with the formidable character of the conflict which we or any other country would have to sustain upon entering into conflict with them, than if, instead of thus applying their resources, they had idly and vainly imagined that the secret of their security lay in endeavouring to maintain huge armaments in time of peace. I believe they judge rightly in the calculation they have made—and made deliberately—with regard to the true basis of national power, that their means ought to be husbanded and saved in ordinary times, but should be developed freely and without stint in periods of emergency. Therefore, so far from acceding to the doctrine of my hon. Friend that we should not reduce our Debt, I cherish the hope that this magnificent example set by the American people will have an effect not only in England but in Europe, and will shame the nations of the Continent into an abandonment of that suicidal policy by which they are wasting the resources created by the thrift and industry of the people in what is either an idle parade or, worse, a source of positive danger; because to be ready with the means of conflict is, perhaps, the very course which may tend to render conflict itself possible. These are the feelings with which I cannot help contemplating the policy of America with regard to the reduction of the National Debt; and I am sure that the sentiment of this House would be to convey, if we could, to the American people and their able Minister of Finance, Mr. M'Culloch, our hearty congratulations on what he has achieved, and our best wishes that he may long continue with the same vigour and prudence thus wisely to apply the resources of his country. Not that we can expect a continuance of the same extraordinary and unheard-of measures by which so much has been already done, for human nature can hardly stand such a strain; but I trust that the American people may persevere in the vigorous prosecution of the decision at which they have arrived as to the true policy they have to pursue; and I believe that the same policy which is good there is good here and good elsewhere. Really, what the right hon. Gentleman now proposes, and what I proposed last year, shrinks into insignificance in comparison with what the Americans have done; and the hon. Gentleman the Member for Dundalk takes advantage of that, and says, "What is £24,000,000 out of £800,000,000?" But I say it is something. Do not despise small things. If we have the self-denial and courage to do this now, the year after we may have self-denial and courage enough to do something more. The language of the hon. Baronet seems to me like that of the young spendthrift, who, when he has reduced himself to the last fragment of his property, finds it so little that it is not worth keeping. But my hon. Friend, instead of tempting us as he does—instead of approaching us on the frail side of human nature, and endeavouring to take advantage of our weakness, ought, on the contrary, to have appeared here as a prophet of truth, and endeavoured to brace us up to the manly discharge of our duty. I would request my hon. Friend to reflect upon these matters of grave importance; and when he next addresses the House I hope it will be in a manner more worthy of his position, and of that recondite, well-stored, and long-tried wisdom which he possesses. In conclusion, I beg to say that I cordially concur in the proposition of the right hon. Gentleman; and I must add that if in this year, when we are about to cease to pay £600,000 of the "dead weight," some proposition of this kind had not been made, it would have amounted to a dereliction of duty. I think the right hon. Gentleman deserves credit for having resisted the temptations to which he must have been subjected; and I believe the course he has taken a wise one, and one well adapted to the promotion of the national wealth.

Mr. READ said, that judging from the applause which had greeted the Chancellor of the Exchequer's statement from the other side, and from the silence with which it had been received on that side, the Government had consulted the wishes of the party opposite rather than those of his own party. He knew it was a Divine principle to love our enemies; but it did not follow that they were to shirk their friends, or to ignore what was due to them. It might be a true saying that the acknowledgment of our faults was half their remedy; but in this case they had the acknowledgment of a grievance, and a substantial grievance, not only without any attempt at a remedy, but with the adoption of measures that would prevent the chance of a remedy for many years to come. If the right hon. Gentleman had reduced the malt tax even by one-fifth—if he had reduced the duty of 2*s.* 7½*d.* a bushel to 2*s.* —this would have brought the revenue derived from malt to £4,000,000, and the right hon. Gentleman might then have instructed the Committee which was about to sit to consider whether the duty thus charged on malt might not be transferred to beer. In that case the right hon. Gentleman would have earned the confidence of the agricultural class, and he would have conferred a special benefit on the country. The right hon. Gentleman the Member for South Lancashire seemed surprised that the duty on malt should have yielded such a large return during the present year; but the result was explained by the comparatively fine crop of 1865, and the bad yield and harvest of the following year, which rendered good barley in demand, and which brought even the dark-coloured barley into request. The supply was rapidly exhausted, and the duty would fall off. With regard to the other propositions of the right hon. Gentleman, and especially with regard to his proposition respecting marine insurances, he must say that if he would dabble in insurances, whether by land or water, he thought the right hon. Gentleman might have relieved the agricultural interest from the beggarly insurances they were now obliged to pay on their cattle and hail politics. They produced a very trifling revenue, but were a source of great annoyance to those who had to pay them. The right hon. Member for South Lancashire said we ought to borrow an example from America, and strive to reduce our National Debt. He (Mr. Read) wished they could; but however desirable it might be to pay off our Debt, he did not think the means used by the Americans—a high tariff and a depreciated currency—would find favour in England.

Mr. POLLARD-URQUHART said, there were two things which disappointed him in the Budget. He remembered the noble Lord the Foreign Secretary had once stated that the taxes ought to be reduced to £60,000,000; but now, he was sorry to say, not only was there no attempt to bring the reduction to £60,000,000, but he thought they were getting farther from it than ever. His next point of disappointment arose from the conduct of the right hon. Gentleman the Chancellor of the Exchequer. That right hon. Gentleman was the author of the novel of *Sybil*, and in that novel he complained that taxes were laid on the comforts of the people for the benefit of the Whig oligarchy. But now that the right hon. Gentleman was himself in office, there was no attempt to reduce the taxes on the comforts of the people. The right hon. Gentleman had a splendid opportunity before him. If he had raised the income tax to 7*d.*, which was its normal amount, and that to which all were accustomed, he might have made large reductions on those taxes which pressed on the comforts of the people. For example, with the surplus which would then have been at his disposal, he might have repealed the malt tax. If he had added only another 1*d.* or 1½*d.* it might have enabled him to repeal half the malt tax. With regard to the reduction of the National Debt, it was not so clear a matter as the right hon. Gentleman appeared to think. It was worth consideration whether they had yet arrived at such a financial millennium that they would reduce no further the burdens on the people, but were free to give their whole attention to the reduction of the Debt. What was the object of paying off the National Debt? It was not like the debt of a private individual; it only represented a certain annuity. He was glad, however, that the right hon. Gentleman had given notice of a Motion which would raise the whole question at some future time. Even with regard to the taxes which were to be reduced, he doubted whether the right hon. Gentleman had chosen his tax in the wisest manner. He was glad, however, to find that the right hon. Gentleman did not propose to reduce the balances in the Exchequer, for he thought that a time of adversity might yet come; and as to what had been said about bad harvests, it should be remembered that bad harvests usually affected the revenue of the second year after their occurrence.

Colonel BARTTELOT said, his hon. Friend who had just sat down proposed to get rid of the malt tax by placing an extra 1½*d.* on the income tax. Now, he was one of those who considered that the malt tax was a great grievance, and he had worked hard, and he believed conscientiously, for its repeal. But he wished to remind those who had worked with him that this end could be secured only by consulting the House of Commons, and offering to the House some proposal which would commend itself to the common sense of hon. Members. In this view of the case the Chancellor of the Exchequer had acted wisely; if the right hon. Gentleman had proposed the repeal of the malt tax, although the proposal would have met with warm approbation by those who had agitated for the repeal, he firmly believed the Committee would have rejected it, and then in what position would the malt tax question have been? Three or four years ago there was a large surplus, and that was the time when the malt tax ought to have been dealt with; but the right hon. Gentleman opposite, who was then Chancellor of the Exchequer (Mr. Gladstone), in his wisdom did not think so. He had no doubt his right hon. Friend the present Chancellor of the Exchequer was sincere when he said that he would like to deal with the malt tax; but he was satisfied that the mere remission of £1,200,000 would have been of little benefit to the barley growers, and would only have shelved the question for a time. The tax was a large one, and it could not be dealt with in a small way. But he did not see why the tax should not be removed from malt to beer. The right hon. Member for South Lancashire said that the repeal of the malt tax would be the deathblow of indirect taxation, because spirits were included in the same category with beer. But they were not parallel cases. They would be so if, as in the case of spirits, the tax was removed from the raw to the manufactured article—from malt to beer. He proposed to move on a future day for a Committee to inquire into that question of the malt tax; and he hoped that their labours would expose the great injustice of that impost, and would show that that injustice could be removed in some unobjectionable manner.

Mr. MORE observed, that when a deputation of farmers asked the advice of Mr. Cobden, with respect to the subject of the malt tax, he told them that they could not possibly expect any reduction in it until there was a reduction of public expenditure; and he regretted to hear that, so far from any such reduction taking place, the Chancellor of the Exchequer rather anticipated that there would be an increase. In past years the leading newspapers of the country had expressed their surprise at hon. Members urging the malt tax as a great grievance, and recently they had expressed just as much surprise at the comparative silence of county Members on the subject since the present Government had been in office. He was afraid that if they wished to estimate the liberality of the Chancellor of the Exchequer towards the farmers, they must take some other test than that of the malt tax. The right hon. Gentleman informed a deputation of farmers in 1852 that he was prepared to deal partially with this tax; but that he did not receive sufficient support from the country party. He did not speak in hostility to the right hon. Gentleman; because from the great influence he possessed, and the interest he manifested in everything connected with counties, he possessed the sympathy more or less of every county Member, though they did not appear to support him. He (Mr. More) believed that the Chancellor of the Exchequer would gladly deal with this tax if other Members of the Government would permit him to do so and his party would support him; and he was convinced that if he brought in a measure for the reduction of the malt tax a large number of Liberal Members would support him even against their own party. The hon. Member for West Sussex had prepared the House for the course which the Chancellor of the Exchequer had taken, and there was now the objection which formerly existed to his moving for a Committee on the tax; because the hon. and gallant Member could not have moved for it before the Budget without some misapprehension arising that the Committee was to be proposed for the purpose of preventing the Chancellor of the Exchequer from dealing with the tax.

SIR FRANCIS CROSSLEY admitted that in selecting the duty on marine insurance for a remission of taxation, the Chancellor of the Exchequer had taken a very proper course, for that and the charge on fire insurance were, perhaps, two of the most objectionable imposts which now existed. With respect to the mode of reducing £24,000,000 of the National Debt by the means of terminable annuities, he thought that there was considerable force in what had been stated by the hon. Member for Wick (Mr. Laing), that the scheme was adopted because the Chancellor of the Exchequer wished to pay a larger sum than he had money to pay it with. The great blot in the scheme was that by this proposal the Chancellor of the Exchequer was not only dealing with the Budget of 1857, but with those of eighteen succeeding years, and the plan was defective on that ground, although he agreed that the very best way of preparing the country to bear a war expenditure was to reduce the National Debt in time of peace. It might be that before eighteen years elapsed, and at the very time they were raising taxes to pay the annuities, they would be going into the market to borrow money. If the Chancellor of the Exchequer had dealt simply with the surplus, the case would be wholly different. As he had stated on a former occasion, if the Chancellor of the Exchequer set aside £500,000, and created terminable annuities, payable over 100 years, he might pay off £10,000,000 of the debt, and that course would be one free from the objections which had been raised to the proposed plan by many hon. Members. At the same time, he (Sir Francis Crossley) was so convinced of the necessity of reducing the Debt that he would accept the proposition of the Chancellor of the Exchequer in lieu of what he considered would have been a better one. He regretted very much to see an increase of expenditure to the amount of £2,000,000 in time of peace, and could not divine any reason for it. So far from it being necessary to have a large expenditure in time of peace, that we might be prepared for war, he believed that we should be far better prepared for war if we considerably reduced the enormous expenditure we went to in time of peace. The people of the United States were able to pay off a considerable portion of their debt, not by keeping up a high rate of expenditure, but by reducing their expenditure in time of peace. We, in England, however seemed to have adopted the plan of increasing our expenditure when we were involved in war, and maintaining it at something near the same level when peace was restored.

MR. FAWCETT said, he had listened to the statement of the Chancellor of the Exchequer with mixed feelings. He was gratified at the clearness of his statement; but, on the other hand, he strongly objected to some of the propositions the right hon. Gentleman had made. For instance, he did not think the right hon. Gentleman was correct in saying that scarcely one tax was now levied in this country which could be regarded as operating at all oppressively. He (Mr. Fawcett) would not refer to the malt tax, but he thought the taxes on locomotion, hackney carriages, and tea were objectionable; besides which there were a number of small Customs duties which yielded no great revenue, but which encumbered and embarrassed the trade of the country. That, however, which impressed him with the greatest degree of anxiety, was the fact that in a time of peace our expenditure had increased £2,000,000—and he could not discover the slightest reason or justification for that increase. It seemed a very incongruous thing to him that at the very time they were inaugurating a scheme for the reduction of the National Debt, we should be incurring an increased expenditure. Without wearying the House with giving reasons for it, he would say that he was in favour of reducing our National Debt in time of peace, agreeing with his Friend the hon. Member for Westminster (Mr. Stuart Mill) that it was an act of prudence which they owed to posterity. The right hon. Member for South Lancashire alluded in glowing terms to the magnificent efforts now being made in this direction by the people of the United States. But how have they reduced their debt? They did not rely upon elaborate schemes of financiering, but they had made up their minds to reduce expenditure, to keep up taxation, and resolutely to apply the great surplus of each year, not in any fantastic schemes, but in the plain, simple process of cancelling so much debt; and that was the only honest, satisfactory, and straightforward way of reducing debt. He looked with most startled alarm upon the state of the Continent of Europe at the present time. Every country seemed to be rushing upon a mad career which must land them in ruin; and without exaggeration, he believed that, with one or two exceptions, there was not a Continental State which was not each year spending more money than it raised by revenue. If that policy was continued it must lead to disastrous conclusions. Europe, as the right hon. Member for South Lancashire had said, was never so full of armed men as at the present time. Do not let us follow in the same mad career. He was afraid there was a wish in some quarters to do so, and that partly explained the additional expenditure this year of £2,000,000. He thought the scheme of the Chancellor of the Exchequer for reducing the National Debt had many of the defects of the old Sinking Fund. By this arrangement, as by a Sinking Fund, the country arranged to pay off debt by agreeing to increase its annual burdens. But if next year, from bad harvest, the breaking out of war, or some other unfortunate cause, our expenditure should exceed our revenue, the scheme of the Chancellor of the Exchequer could not be carried out. If it were carried out it could only be in the same way as Mr. Pitt's Sinking Fund was carried out, either by borrowing money to pay the annual charge, or—a more objectionable course —by imposing some additional taxation, which must to a certain degree embarrass the trade of the country. Therefore, any scheme of reducing debt by terminable annuities involved more or less the defects and mischiefs of the old Sinking Fund. They ought to adopt one of two plans for reducing the National Debt. If there was a surplus they might do as the Americans had done, and apply the surplus at once to cancel so much debt. In that way they would reduce the annual burden, and get all the advantage of the principle of compound interest; because if they cancelled £1,000,000 of stock this year the annual burdens next year would be less by £30,000; and therefore, if they had the same expenditure and the same taxation, instead of a surplus of £1,000,000 there would be a surplus of £1,030,000 applicable to the reduction of the Debt. The other way of reducing the Debt, if they were enamoured of terminable annuities, was this. The difference between a permanent annuity of £3 a year and a temporary annuity of the same amount, extending over fifty, sixty, seventy, or eighty years, was of very trifling amount; and therefore if they had £1,000,000 at their disposal they might apply it by transferring permanent stock into long annuities, by which they would create terminable annuities, without any increase of the national burdens, and without taxing posterity.

Mr. M'KENNA: I cannot permit the unmixed eulogium of the right hon. Gentleman the Member for South Lancashire and that of the hon. Gentleman who has just sat down (Mr. Fawcett) upon the American financial system, to pass without some protest on my part. If the American system is to recommend itself to this House and to the world it will be in my opinion the triumph of the principles of protection. The Americans, to this day, maintain a system of protection of the most enormous and extravagant proportions, as well as a system of irredeemable paper money. Before they return to the system of payment in coin they commence the reduction of their debt, and no doubt they deserve credit for the efforts they have made, which have accomplished the reduction of £30,000,000 or £40,000,000 by paying back the holders of bonds with greenbacks which they had issued at pleasure. The first duty of a man anxious to pay his debts is to discharge his promissory notes in coin, or, what is equivalent, in exchange for coin, and the same principle applies to a State, with whom the first duty should be to apply its surplus means to restore the integrity of its currency. With respect to the strictures on the mode of reducing the debt proposed by the Chancellor of the Exchequer — namely, by creating terminable annuities, there is some force in them; but it appears to me that the system adopted by the Chancellor of the Exchequer is a judicious compromise between what is most desirable and what is most practicable. A State is about as wise and provident as the average of the units of which it is composed and no more. In our private affairs, we are in the habit of placing ourselves under stoppage for a short period to accomplish some future advantage; and although perhaps that system is not as efficacious or as sound as the reduction of all unnecessary outlay, and the immediate application of surplus to the payment of debts, it is found to be more consonant with our natures, and is unquestionably more successful in practice. In this light I view the annuity scheme of the Chancellor of the Exchequer—it is a compromise between two principles of economy, and such as a private individual would be the most likely to adopt successfully in his own affairs.

Mr. H. B. SHERIDAN said, he had been led to suppose that the right hon. Gentleman would have felt it his duty to do something more with respect to the fire insurance duty. It was not his intention to discuss the policy of reducing the Debt, which was the policy laid down last year by the right hon. Gentleman the Member for Lancashire ; but he rose for the purpose of giving notice that on an early day he should raise the question in a definite manner, whether the Resolutions of the House upon the subject of the fire insurance duty should be altogether passed over, or whether they should proceed to discuss the problem for the extinction of the National Debt. There had been no petitions presented for paying off the National Debt ; but petitions in vast numbers had been presented, and Resolutions had been passed, in favour of a reduction of the duty on fire insurance. He could hardly understand how the right hon. Member for South Lancashire insisted upon treating that duty as a charge upon property—the way to test that would be to propose a duty upon property of all kinds, and the abolition of the duty on fire insurance. He did not think it right or statesmanlike to approach the reduction of the National Debt until all taxes were remitted which pressed upon prudence and forethought.

Mr. GREENE said, he differed from the Chancellor of the Exchequer in his proposal to reduce the National Debt by terminable annuities. It was a mere deception. A much more simple plan would be to reduce it year by year by the application of his available surplus. By that means they would avoid the risk of having to tax the country to pay off debt when, perhaps, they might be borrowing money to pay for a war. He thought a revision of the licence system was very much required. It was most unjust as a principle to tax men for their trade ; but before he would consent to remit the tax on attorneys' certificates, he must ask the House to consider how the entire hop duty had been placed on brewers when it was taken off the hop-growers. It was just to remit the tax on hops ; but when it was charged directly on brewers, and became an augmentation of the malt tax, it became most unjust. He should take an early opportunity of calling attention to the whole subject of licences. It had been suggested that a substitute for the malt duty might be found in a tax on beer ; but if it were to be repealed, it ought to be repealed entirely, and not added to the price of the poor man's beer. If the farmers desired it he should rejoice at the repeal of the tax ; but he thought that before proceeding to pay off the National Debt, they should reduce the burdens on the country. That would enable them to pay off the Debt in a more consistent manner. England was becoming richer every year, and he believed that, with proper management, the present Government, whom he believed to be thoroughly practical business men, would be enabled to propose such a reduction of taxation as would pave the way to the reduction of the Debt in a more consistent manner.

Colonel SYKES said, he must express his hearty approval of the determination of the Chancellor of the Exchequer to operate on the National Debt, though probably he might not entirely concur in his *modus operandi*. He would prefer the simple operation of applying the annual surplus to the reduction of the National Debt. But what was proposed was a step in the right direction: it was a diminution of the charge on the country, and therefore it had his approval. It had been said by the last speaker that they should diminish taxation before attempting to operate on the National Debt. But it should be remembered that the present amount of taxation was the consequence of the National Debt. The interest of that Debt, including management, terminable annuities, and interest of Exchequer bonds and bills, was £26,233,287 a year, which must be raised by taxation. The labouring classes had a greater interest in the reduction of the National Debt than any other portion of the community, for taxation on articles of consumption was necessary to pay the interest. In the year ending the 31st March, 1866, £21,276,000 was derived from Customs duties, and £19,788,000 from Excise duties, making a total of £41,064,000. Now, the Customs duties were derived chiefly from articles consumed by the labouring classes—tea, sugar, coffee, &c. The importer was compelled to add the duties to the sale prices ; and the retailer did the same, and the consumer therefore had to pay 20 to 30 per cent more for articles of necessary consumption than he would have had to pay, if it had not been necessary to raise so large an amount of Customs duties for the payment of the interest of the National Debt. The same argument applies to the Excise duties—spirits, wine, beer, &c. The working man, therefore, has a deep interest in the reduction of the National Debt. The Americans were doing precisely what we would not do. During the war they had an immense expenditure, but they had a system of taxation commensurate with it. Since the termination of the war they had diminished their expenditure; but the people submitted to be taxed as if the war still continued. There was therefore a large surplus of revenue which they applied to the reduction of their debt; and within little more than one year they had reduced it to the extent of £40,000,000. One word as to the obligations we had incurred. Take, for instance, the question of fortifications. The country had engaged to lay out on fortifications £6,995,000; of which £3,491,000 had been already advanced. There remained £3,500,000 to be provided for. But this was not alluded to in the Budget. Then, again, the armament of the defences when completed would require 1,104 rifled guns, and cost £1,882,000. We were also pledged to the extent of millions for dockyard extensions, barracks, public works, &c. The Chancellor of the Exchequer had not said one word about these prospective claims on the finance of the country. So long as the National Debt existed with an annual charge for interest to the amount of £26,000,000, taxation must be kept up for the payment of interest.

Mr. AYRTON said, he entirely concurred in the general feeling of satisfaction with which the House had heard the Financial Statement of the Chancellor of the Exchequer. It was marked by severe simplicity and prudence. That simplicity, he hoped, would be accepted by the House as an evidence of the real intention of the Government to enable them to deal during the present Session with the great subject of Parliamentary Reform. He could not conceive anything more unfavourable to the complete discussion and solution of that question than being embarrassed during the Session by any complicated matters of finance. He also thought the speech of the right hon. Gentleman deserved to be admired for its prudence. He had not in the present posture of affairs attempted to do battle with any great remission of taxation. He had done well and wisely in pursuing the course marked out by the speech of his predecessor last year in attempting to effect a reduction of the National Debt. He thought the House might safely adopt the method of dealing with the National Debt indicated in the speech of the Chancellor of the Exchequer that night. He did not think that the propositions deserved the criticisms which had been passed upon it, and which seemed to him to be of rather a pedantic character. There was a general disposition to cry out againt the principle of sinking funds; but it must not be forgotten that we should never have got rid of so large a portion of the Debt had not £3,000,000 per annum of it been contracted in the form of terminable annuities, and he must ask what was the use of indulging in abstract speculations when they had such a cogent argument before them? The question of extinguishing the National Debt was not simply an arithmetical question—it was a moral question, and he ventured to express his earnest thanks to those Chancellors who had declined to yield to the pressure of particular class interests, which were seeking to get rid of the taxes that pressed most peculiarly upon them. It was in consequence of the resistance of Chancellors of the Exchequer to such pressure that the right hon. Gentleman was enabled that night to remit a tax which he regarded as being the most unjust. He wished, however, to call the attention of the right hon. Gentleman to one other tax which might be considered without materially trenching on the Budget. He had for some years brought under consideration the unjust character of some of the charges upon locomotion, and he succeeded at last in obtaining from the late Chancellor of the Exchequer some remission; but there still remained the vexatious tax levied upon hackney carriages in the metropolis. This was a tax levied originally for the purpose of improving the communication between the City of London and the Houses of Parliament and the Courts at Westminster. At that time the road lay through a miserable lane, which was almost impassable, and the consequence was that most persons chose to make the passage by water. No sooner was the tax levied than by a dexterous movement the Chancellor of the Exchequer of that day converted the tax into a source of Imperial revenue. At that time hackney carriages, or, as they were now more generally called, cabs, were almost exclusively used by the wealthier classes, but now they had become conveniences for a very large portion of the inhabitants of the metropolis. The charge upon these vehicles was perfectly amazing, it being no less than 1*s.* a day on each. If the proceeds of the tax were applied to local improvements something might be said in its favour; but there was no pretence for its being made a source of Imperial revenue. This tax was not levied on conveyances anywhere else. In all other parts of the kingdom the only duty paid by these vehicles was the ordinary tax upon horses and carriages. The result of this tax was that the public had to put up with bad cabs. There was no objection to the impost being levied in the metropolis as it was in Manchester, Birmingham, Liverpool, and other large towns; but in its present form the burden was most objectionable, and if it were removed one good result would be that a better class of vehicles would be provided. Although the total sum raised by its means was but small, the pressure upon the proprietors of the street cabs was enormous. He did not intend to press his views on this subject upon the Chancellor of the Exchequer in the form of a Motion; but he hoped that that right hon. Gentleman would take the matter into consideration, and would allow the Secretary of the Treasury to bring in a Bill to amend the laws relating to this duty, so as to subject the metropolitan cabs to the ordinary horse and carriage duty only. He regretted that the hon. Member for Dudley (Mr. H. B. Sheridan) should have given notice of his intention to raise the issue of the reduction of the Fire Insurance Duty against the scheme of the Chancellor of the Exchequer. No doubt the question would be brought under the notice of the House with all the vast machinery of agitation which insurance companies could bring to bear upon the minds of Members of that House, and might therefore find more support than it deserved. The hon. Gentleman had denied that the Fire Insurance Duty was in any way a tax upon property; but he, on the contrary, believed that that duty was only a bad method of collecting what was really intended to be a tax upon personal property. Although bad in the mode in which it was collected it represented one of the most ancient forms of taxation with which the country was acquainted—namely, a tax upon personal property possessed by individuals. The

fire insurance duty was only a means of ascertaining the quantity of personal property of which the individual was possessed; but it was open to the great objection that it only included those who consented to assess themselves by taking out a policy of insurance. If the owners of property insisted on being relieved of that tax, the question would arise, how they were to levy a substitute for it on the visible personal property of the country. If the House should like to add to the income tax 2*d.* in the pound, and take off that and some other duties, it would, he believed, be a very wise proceeding; but it was not just to the mass of the people that there should be an agitation on the part of the owners of property to relieve themselves of that tax unless they would frankly tell the Chancellor of the Exchequer that they were ready to submit to another impost which would yield an equal amount to the revenue. He must also express his deep regret that, instead of having a diminution of the national expenditure, they should be compelled to bear so large an increase as £2,000,000 to that increase in the present year. He hoped that that increase might be regarded as temporary, and that the Government would apply themselves earnestly to the question of reducing the public expenditure, so that if they remained in office till that time next year they should not have to ask the House to raise Ways and Means to the enormous amount that was asked that night; because if in the exceptional state of Europe the country should assent to that scale of expenditure this year, it certainly would not assent to its continuance. Though the present Government came after Lord Palmerston, who inflicted the greatest injury on the public interests by encouraging every kind of expenditure amd extravagance, still it was to be hoped that as that Minister's career was forgotten so his extravagance would not be imitated in these days. The Minister who had not left associated with his name any great act for the benefit of the people, but who had only increased their burdens, would, he repeated, be forgotten unless he was remembered to his disadvantage. But the time had come for applying themselves seriously to that subject, in order that a better account might be presented by the Government next year.

Mr. M'LAREN said, that last year he expressed his approval of the plan for reducing the National Debt by means of terminable annuities, and he was delighted to hear that the present Chancellor of the Exchequer had taken up that plan. It was much to the right hon. Gentleman's credit that, foregoing the advantage of the popularity which he might have obtained by trying to do something new, he had candidly adopted the proposal of his predecessor, thinking it the best for the country under the circumstances. That we, the richest people in the world, should make no effort to pay off the National Debt was quite discreditable to us. He could not admit that the paying off of £24,000,000 of that Debt was so infinitesimal a matter as not to be worth considering. £24,000,000 was 1-33rd of the whole Debt, and by ten such operations as that proposed one-third of the Debt would be extinguished. Some hon. Gentlemen had approved the Budget with certain qualifications, but for his part he made no qualifications; he approved it pure and simple. He thought, however, that the right hon. Gentleman ought to offer a little reciprocity, and not be so much afraid, as some of his friends seemed to be, of intrusting the people with political power. It was a curious fact that every hon. Member who supported the proposal to pay off a portion of the National Debt represented a large popular constituency.

Motion *agreed to.*

1. *Resolved,* That, towards raising the Supply granted to Her Majesty, the Duty of Customs now charged on Tea shall continue to be levied and charged on and after the 1st day of August 1867 until the 1st day of August 1868 on the importation thereof into Great Britain and Ireland, viz.

		s.	*d.*
Tea	the lb.	0	6

2. *Resolved,* That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the 6th day of April 1867, for and in respect of all Property, Profits, and Gains, mentioned or described as chargeable in the Act passed in the 16th and 17th years of Her Majesty's reign, chapter 34, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say):

For every twenty shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of Four pence.

And for and in respect of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act, for every Twenty shillings of the annual value thereof,

In England, the Rate or Duty of Two pence, and

In Scotland and Ireland respectively, the Rate or Duty of One penny halfpenny.

Subject to the provisions contained in Section 3 of the Act 26th Victoria, chapter 22, for the exemption of persons whose Incomes from every source is under One Hundred pounds a-year, and relief to those whose Income is under Two Hundred pounds a-year.

3. *Resolved,* That the Stamp Duties now payable in the United Kingdom under the Act 7 Vic. c. 21, and the Act 28 and 29 Vict. c. 96, for Policies of Sea Insurance shall cease and determine; and that, in lieu thereof, there shall be charged, collected, and paid for such Policies the Stamp Duties following (that is to say):

	s.	*d.*
For every Policy or other Instrument whereby any Insurance shall be made upon any Ship or Vessel, or upon any Goods, Merchandize, or other Property on board of any Ship or Vessel or upon the freight of any Ship or Vessel, or upon any interest whatever in or relating to any Ship or Vessel which may lawfully be insured, for or upon any voyage, in respect of every full sum of One Hundred Pounds, and in respect of any fractional part of One Hundred pounds thereby insured . .	0	3

And for every Policy or other instrument whereby any such Insurance as aforesaid shall be made for any time, in respect of every full sum of One Hundred pounds, and in respect of any fractional part of One Hundred pounds thereby insured—

	s.	*d.*
Where the Insurance shall be made for any time not exceeding Six Months	0	3
Where the Insurance shall be made for any time exceeding Six Months and not exceeding Twelve Months	0	6

But if the separate interests of two or more distinct persons shall be insured by one Policy or Instrument for a Voyage or for Time, then the Duty of 3*d.*, or the Duty of 3*d.* or 6*d.*, as the case may require, shall be charged thereon in respect of every full sum of One Hundred pounds, and every fractional part of One Hundred pounds thereby insured upon any separate and distinct interest.

4. *Resolved,* That no allowance shall be made for the Stamp Duty on any Policy or other Instrument whereby any Sea Insurance shall be made, except in the first case specified in the first section of the Act 54 Geo. 3, c. 133.

On question, "That the Chairman do now leave the Chair,"

MR. OSBORNE said, that before the Chairman vacated the Chair he wished to make an appeal to the Chancellor of the Exchequer. He did so without having been in any communication with the Irish Members whom the next Order on the paper (the Tenants Improvements (Ireland) Bill) more immediately concerned. But the right hon. Gentleman, who understood the matter as well, if not better, than any Member of that House, would hardly gainsay that the Bill to which he referred was probably one of the most important measures that could be brought before them. ["Order!"] He thought he was taking the simplest course by raising that question then.

THE CHAIRMAN said, the Question before the House was that he should now leave the Chair. The hon. Gentleman having put the Question, declared, in the usual form, that "the Ayes have it."

MR. OSBORNE believed that he could speak on that Question, and he challenged the Chairman's ruling by saying that he thought the "Noes" had it. The hon. Member was proceeding to offer some observations to the House; but being called to order said he would not put the Committee to the trouble of dividing.

Motion, "That the Chairman do now leave the Chair," *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

TENANTS IMPROVEMENTS (IRELAND) BILL—[BILL 29.]

(*Lord Naas, Mr. Solicitor General for Ireland.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord Naas.*)

MR. CANDLISH moved that the debate be adjourned.

MR. OSBORNE, in seconding the Motion, said, he would resume the appeal (where he had left off) to the right hon. Gentleman the Chancellor of the Exchequer—whose knowledge of Ireland and, it was only fair to add, whose good intentions towards that country no one was more ready to admit than he (Mr. Osborne) was — whether the right hon. Gentleman thought that so important a question as this confessedly was should now be proceeded with on its second reading—whether it should be brought on at the fag end of the Financial Statement introducing the Budget, and which, with the discussion upon it, lasted for a period unexampled by its brevity in that House. In reference to that fact he must compliment the right hon. Gentleman upon the succinctness and completeness of his speech—a speech which he thought would stand as a good model for all Chancellors of the Exchequer. He believed that within the recollection of the House there had never before been a Budget introduced, which, with the discussion arising from it, terminated at a quarter before nine o'clock. Whether that be a fact or not, he thought that hon. Gentlemen generally must confess that few measures involved such important consequences to Ireland as the present Bill, and deserved more attention in that House. He was sure that the Government attached so much importance to that Bill that they would not wish it to be brought on at a time and under circumstances when it was impossible it could receive due consideration. Intimately connected as he was with Ireland he thought that such a Bill was entitled from its importance to stand first on the paper as the great question for debate. The second reading of the Bill brought in last Session was placed first on the paper, and had an entire evening appropriated to itself. The hon. Member for Kilkenny (Sir John Gray), who was to take a prominent part in the discussion on this subject, had left the House under the impression that the discussion on the Budget would last beyond the time fixed for entering upon the consideration of this measure. The Leader of the Opposition—not the hon. Member for Roscommon (Colonel French)—had also left the House. [Here Colonel FRENCH made an observation which did not reach the gallery]. He (Mr. Osborne) was obliged to the hon. Gentleman below him for his running commentary, but he was then referring to the Chancellor of the Exchequer. He was sure that the House generally would be of opinion it was desirable that the Leaders on both sides of the House should be present when a question of this importance was called on for discussion. In all fairness he submitted to the right hon. Gentleman the noble Lord the Secretary for Ireland (Lord Naas) whether it would not be better to name a night for the second reading, when it would stand first on the paper, and assume that importance to which the question involved was fully entitled—namely, an early day after Easter. If the measure were then brought under discussion the result would be a partial and unsatisfactory debate, resulting at length in an adjournment. He would not enter into the details of this Bill; but ventured to remark that it was not one that would settle the question at issue. And if it were now proceeded with there would, of course, be a great deal of speaking against time, and the result would, at all events, be unsatisfactory. The question was one of such importance that it ought not to stand second even to the Budget—indeed, to his mind it was quite equal in importance to any Budget. He therefore urged the Government to postpone its consideration, and to give an early day after Easter for a full discussion upon it.

Moved, "That the Debate be now adjourned."—(*Mr. Candlish.*)

The CHANCELLOR of the EXCHEQUER: The hon. Gentleman who has just addressed us is quite correct in crediting me with fully understanding and appreciating the importance of this question. Out of the many measures introduced to that House, some of which I am glad to say we have passed, none in my mind are superior in importance and interest to this Bill. It is a measure in which I take a great personal interest, and one which I think deserves our best consideration. It is not our fault that this important business has been delayed to this moment. The pressure of public business has been very great, and circumstances of an exigent character during the first few weeks of the Session required the presence of my noble Friend in the sister island. It was therefore no wish on our part to delay the progress of this measure. On the contrary, Her Majesty's Government felt an anxious desire that the Bill, when matured by the suggestions and assistance of hon. Members on both sides of the House, should pass into a law. Whatever may be the opinion of the hon. Gentleman the Member for Nottingham (Mr. Osborne) in regard to this measure, I am profoundly impressed with the conviction that it contains a substance which may lead to beneficial results in Ireland. At the same time, I am perfectly well aware of the disadvantage of entering into a subject of this importance in a House which is not very full; but this is a circumstance arising from what may be called a Parliamentary casualty. It is really very difficult for us to fix another day for the second reading, in the face of the large amount of business before us. At the same time, I should be happy if hon. Gentlemen opposite will consent to meet us on the 29th instant, being the first day when the House re-assembles after the Easter recess. But, generally speaking, when we fix the first day after the recess for Irish Bills, the Gentlemen from Ireland are not then to be found in their places. If, however, the hon. Representatives of Ireland will endeavour to be present here on the 29th instant, or the Monday on which the House re-assembles, I shall be happy to meet them then for the consideration of this question. Indeed, I think that there ought to be an exertion made on both sides to be then present, when I hope that the subject will be treated by all parties with that respect and attention which its interest and importance demand.

Colonel FRENCH expressed his regret at being supposed by the hon. Member for Nottingham (Mr. Osborne) to have interfered with the observations he was then making. He for one, however, disagreed with the opinions expressed by that hon. Gentleman in respect to the suggested postponement of this Bill. It was announced, apparently with the approbation of the Irish Members, that his noble Friend the Secretary for Ireland would bring on the Bill that evening if the previous business on the paper were disposed of before nine o'clock. He (Colonel French) was prepared to give the measure the fullest consideration.

Mr. BRADY suggested that the Bill should be read a second time *sub silentio* in order to make progress, and take the discussion on the principle of the Bill on the Motion for going into Committee.

Mr. SYNAN said, he should not have thought that any Irish Member would have proposed or suggested that a Bill of so much importance should be read a second time without discussion. The Bill must be fully discussed, and he saw no objection to the discussion being then proceeded with until twelve, when the debate could be adjourned until the 29th.

Mr. SANDFORD said, he was surprised that the Government had declined to proceed with the Bill, the understanding being that it should not be taken after ten o'clock. No doubt it was a very disagreeable subject, both for the Chancellor of the Exchequer and the noble Lord the Chief Secretary—the measure being in direct contradiction to that introduced by the noble Lord last Session. He had no desire to say anything disagreeable to any Member of the House; but if it was more agreeable to adjourn the discussion than to proceed with it, he would accede to it.

Lord NAAS said, that the remarks of the hon. Gentleman who had just sat down (Mr. Sandford) were uncalled for. The Government had no desire to press on the

Bill against the wishes of hon. Members. There had only been one evening since the Bill was read a first time that the discussion could have come on, and at that time he and the Law Advisers of the Crown were compelled to be absent. The observation, therefore, of the hon. Gentleman the Member for Maldon was unjustifiable. It was the earnest wish of the Government to proceed with the Bill, and take the opinion of the House upon it as early as possible. He thought there was great force in the objection to what was called fragmentary discussions, and he was of opinion that very little time was gained by adjourned debates—and besides that, they were very inconvenient. By adjourning the second reading until the 29th, and then taking it the first thing that evening, he hoped they would be able to get through the discussion that night. The Government did not shrink from any discussion of the measure.

THE O'DONOGHUE said, he had always believed that Her Majesty's Government were sincerely anxious to press forward this Bill in the hope that it would settle the question. There was a great deal in the Bill that was good, and well worthy of the support of the House; and his reason for supporting the adjournment was that many Irish Members who wished to take part in the discussion had left the House under the impression that the Bill would not come on that night, and it would be impossible that they could have a full and adequate discussion that evening.

MR. GREGORY said, he believed the Government had been anxious to take the discussion on these Bills at an earlier period. Events had, however, occurred which had prevented the Law Officers of the Crown and the noble Lord (Lord Naas) from being in their places, and it was therefore impossible to go on with the Bills. A partial debate on this subject would give the impression that the House was trifling with it, and although it would be rather inconvenient to Irish Members to bring them back on the 29th, he would make no objection to the postponement to that day. It might be impossible, in consequence of the Reform debates, to obtain another night, and he would take care to be in his place on the 29th to move the Amendment of which he had given notice.

Motion *agreed to.*

Debate *adjourned* till *Monday* 29th April.

Lord Naas

COURT OF CHANCERY (IRELAND) BILL.

(Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland.)

[BILL 47.] COMMITTEE.

Bill *considered* in Committee. [Progress 26th March.]

(In the Committee.)

Clause 40 (On Retirement of Masters, the Examiners and Clerks to be entitled to retiring Pensions of the same Amount as Salary).

THE ATTORNEY GENERAL FOR IRELAND (Mr. CHATTERTON) moved the insertion of the words "or clerks," making the clause applicable to all clerks, instead of to one only, the object being, by reserving the rights to retiring pensions to the present clerks, to induce them to continue in office, rather than to have to make new appointments.

Amendment proposed, in line 27, after the word "clerk," to insert the words "or clerks."—(*Mr. Attorney General for Ireland.*)

MR. LAWSON objected to the proposed Amendment, on the ground that the "clerks" were entitled to a more explicit declaration of their rights, if they possessed any.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 61; Noes 45: Majority 16.

Clause *agreed to.*

Clause 41 (Appointment of Office of Second Assistant Registrar of the Court).

GENERAL DUNNE moved an Amendment to the effect that both of these officers, whose duties were identical, should be paid £1,000 a year, instead of as the clause proposed, £1,200 to the one and £800 (with a prospective increase to £1,000) to the other. He saw no reason why there should be any difference in the emoluments when the duties were the same. He therefore proposed the substitution of "£1,000" for "£800."

MR. HUNT said, that the salary of the second officer was fixed at £800 last year, under arrangements for a gradual increase to £1,000.

MR. MONSELL asked for some explanation of the great difference between the salaries assigned to the two officers.

THE ATTORNEY GENERAL FOR IRELAND (Mr. CHATTERTON) said, that it was proposed to appoint the existing officers to the new offices created under the Act, and the apparent discrepancy between the two salaries arose out of this circumstance.

Mr. HUNT observed, that the proposition was not a new one, it having been made by a previous Government.

Mr. MONSELL could not see why any difference should be made between the salaries of two officers whose duties were precisely the same.

Mr. HUNT said, it was no uncommon thing to have senior and junior officers, the senior officers having larger salaries than the others.

Colonel FRENCH observed, that in this case there was no such distinction as senior and junior officers.

Amendment *negatived.*

Mr. O'BEIRNE proposed the addition at the end of the clause of these words—

"Whenever a vacancy shall occur in the office of Junior Clerk the Lord Chancellor shall appoint thereto a fit person, who shall have been admitted a solicitor or attorney in one of the Superior Courts in Ireland."

The ATTORNEY GENERAL for IRELAND (Mr. Chatterton) objected.

Mr. O'BEIRNE said, he would bring up his clause on the Report.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 42 to 87, inclusive, *agreed to.*

Clause 88.

Sir COLMAN O'LOGHLEN moved the omission of Clauses 88 to 107, both inclusive. The proposal in the Bill was, that evidence in the Court of Chancery should be taken before the Examiner, in the nature of written questions and answers. What he proposed was, that all evidence should be taken *vivâ voce* before the Court, unless differently ordered by the Judge.

The ATTORNEY GENERAL for IRELAND (Mr. Chatterton) resisted the Amendment on the ground that it would utterly clog the business in the Chancery Courts. A discretion was left with the Court to examine witnesses *vivâ voce*, if necessary.

Sir COLMAN O'LOGHLEN moved that the Chairman report Progress and ask leave to sit again. The question was an important one, and it had now reached so late an hour that he thought one of two courses should be adopted. The Clauses from 88 to 107, both inclusive, should either be postponed by the Attorney General or Progress should be reported.

The ATTORNEY GENERAL for IRELAND (Mr. Chatterton) declined to postpone the clauses, and opposed the Motion for reporting Progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Colman O'Loghlen.*)

The Committee *divided*:—Ayes 44; Noes 68: Majority 24.

Sir PATRICK O'BRIEN moved that the Chairman leave the Chair.

After a short discussion, Motion *negatived.*

Mr. ESMONDE moved that the Chairmain report Progress.

After a short discussion, Motion *negatived.*

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

BURIALS (IRELAND) BILL.

Acts read; *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law which regulates the Burials of persons in Ireland not belonging to the Established Church.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Monsell and Mr. Sullivan.

Bill *presented*, and read the first time. [Bill 109.]

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Friday, April 5, 1867.

MINUTES.]—Public Bills—*First Reading*—Vice Admiralty Courts Act Amendment* (71); Clerical Vestments (No. 2)* (72).

Second Reading — Religious, &c. Buildings (Sites) (68); Mutiny.

Committee—Lyon King of Arms (Scotland)* (54).

Report—Lyon King of Arms (Scotland)* (54).

Third Reading—Criminal Lunatics* (55), and *passed.*

Withdrawn—Clerical Vestments* (72).

Royal Assent—Consolidated Fund (£7,924,000) [30 *Vict.* c. 7]; Sugar Duties [30 *Vict.* c. 10]; Trades Unions [30 *Vict.* c. 8]; Dublin University Professorships [30 *Vict.* c. 9].

RELIGIOUS, &c., BUILDINGS (SITES) BILL—(No. 68.)

(*The Lord Cranworth.*)

SECOND READING.

Order of the Day for the Second Reading read.

LORD CRANWORTH, in moving that the Bill be now read the second time, stated that its object was to enable religious and charitable or scientific societies to acquire land for the purposes of their buildings not exceeding two acres in extent without being obliged to comply with the provisions of the Mortmain Act.

THE LORD CHANCELLOR said, he would not oppose the Bill, which, however, seemed very carelessly drawn, and would require considerable amendment in Committee. If it were not amended it would apply to dispositions made by will. He thought also it would be absolutely necessary that all deeds conveying land for such purposes to such societies should be enrolled, and should move a clause to that effect in Committee.

Motion *agreed to:* Bill read 2ª, and *committed* to a Committee of the Whole House on *Tuesday* next.

MUTINY BILL.

(*The Earl of Longford.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF LONGFORD, in moving that the Bill be now read the second time, said, that some formal alterations had been made in the Bill at the instance of the Judge Advocate General, which it would not be necessary to detail; but on the 22nd clause, by which the infliction of corporal punishment was governed, considerable discussion had taken place in the other House, and after some contradictory decision, a new clause had been substituted for that contained in the usual annual Bill. The effect would be to limit the infliction of corporal punishment in time of peace to two offences only—mutiny, and insubordination accompanied by personal violence. He should be very glad himself, as everybody else would be, if corporal punishment could be dispensed with altogether. Like capital punishment, it could only be supported as a painful necessity. The preamble of the Bill explained in reasonable language why summary powers should be placed in the hands of courts martial, and these powers were quite as necessary for the protection of the citizen as for the restraint of the soldier. Law and custom had selected corporal punishment as the mode in which these summary powers should be exercised in preference to carrying into execution sentences of death, which might be the alternative. He did not think it would be judicious at this moment to weaken the authority of those who were responsible for the discipline of the army by abolishing corporal punishment; but their Lordships might rest satisfied that it would only be resorted to when necessity demanded.

Motion *agreed to:* Bill read 2ª, and *committed* to a Committee of the Whole House on *Monday* next.

VICE ADMIRALTY COURTS ACT AMENDMENT BILL [H.L.]

A Bill to extend and amend the Vice Admiralty Courts Act, 1863—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 71.)

CLERICAL VESTMENTS BILL [H.L.]

Bill, by Leave of the House, *withdrawn.*

CLERICAL VESTMENTS (NO. 2) BILL [H.L.]

A Bill for better enforcing Uniformity in the Clerical Vestments and Ornaments to be worn by Ministers of the United Church of England and Ireland in the Performance of Public Worship—Was *presented* by The Earl of SHAFTESBURY; read 1ª. (No. 72).

House adjourned at half past Five
o'clock, to Monday next,
Eleven o'clock

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HOUSE OF COMMONS,

Friday, April 5, 1867.

MINUTES.]—NEW WRIT ISSUED—*For* Middlesex, *v.* Robert Culling Hanbury, esquire, deceased.

WAYS AND MEANS — *Resolutions* [April 4] *reported.*

PUBLIC BILLS—*Resolutions in Committee*—National Debt Acts—(£24,000,000) Consolidated Fund.

Ordered—Arrest for Debt (Ireland)*; Education of the Poor.*

First Reading—Arrest for Debt (Ireland)* [110]; Education of the Poor* [111].

Second Reading—Marine Mutiny; Fortifications (Provision for Expenses) [104], Debate *adjourned.*

Committee—Petty Sessions (Ireland) Act (1851) Amendment* [87].

Report—Petty Sessions (Ireland) Act (1851) Amendment * [87].
Considered as amended—Canada Railway Loan * [99]; Criminal Law * [8].
Third Reading—Canada Railway Loan * [99]; Sale and Purchase of Shares * [103], and *passed.*

LONDON, CHATHAM, AND DOVER RAILWAY (No. 3) BILL.

Mr. THOMAS HUGHES moved that the Standing Orders of this House, Nos. 18, 38, and 40, be suspended in the case of the Petition for this Bill. He said, that the Standing Orders Committee had objected that the promoters of the Bill, a section of the debenture-holders of this company, had not given proper notice to the parties whose interests this Bill affected; but the circumstances which gave rise to the Bill did not originate until after the proper time for giving such notice had expired. The case was one of urgency, and a compliance with the Orders ought not to be insisted upon. There were twenty-four debenture-stocks in this company, twenty-nine share-stocks, and three special share-capitals charged on specific funds. The consequence was that every one of these bodies had rights which conflicted more or less with the rest of them, which made it impossible for more than one set to join together in suits for having their rights established. A large number of suits had been already instituted of a most expensive description, and many more would be instituted unless the House would think it right to allow the present Bill to go before the Committee which was sitting upon other Bills relating to the company, and would find out some way of enabling the company to go to compulsory arbitration, for that was the object of the Bill to which this Motion referred. The object of the Bill was well described in its title—to transfer all litigation respecting the London, Chatham, and Dover Railway Company, and all matters arising out of the Act constituting and defining the powers of the company, and out of the Acts of other companies over whose line the company's line now runs, to the decision of a tribunal of arbitration which should have special power to prepare a scheme to relieve the company from its present embarrassments. The House was aware that a railway company could not commit an act of bankruptcy in ordinary form, nor could it be wound up in the Court of Chancery. The House, therefore, would admit that to allow a great railway company in the condition of this company to go to arbitration was the only just way of dealing with it. Unless arbitration took place there would be hopeless and endless litigation.

Motion made, and Question proposed,

"That the Standing Orders of this House, Nos. 18, 38, and 40, be suspended in the case of the Petition for the London, Chatham, and Dover Railway (No. 3) Bill."—(*Mr. Thomas Hughes.*)

Colonel WILSON PATTEN said, that the company had come before the Standing Orders Committee on the 27th of March without having given due notice to the several parties who were interested in the passing of the Bill. It was the duty of that Committee to take care that persons who were likely to be affected by the legislation of the House should have in such cases ample notice, and they had in the present instance, therefore, come to the conclusion that they could not, in the absence of such notice, recommend the Standing Orders established to secure that object to be dispensed with. The House itself or the Government, of course, might decide that the case under discussion was one which warranted a departure from that rule. If the Government thought that this was a question worthy of being settled by a Special Committee to be appointed for the purpose he would offer no opposition to a proposal to that effect; but the Standing Orders Committee were bound to act as they had done, or they would have lost the confidence of the House.

Mr. STEPHEN CAVE said, that the question was, whether there was any good ground for dispensing with the rules of the House, which ought not to be set aside without full and sufficient cause shown. The promoters said that non-compliance with these rules was not their fault; that the circumstances which induced them to bring forward this measure did not arise before a period at which it was impossible for them so to comply with those rules. It seemed to him that this was a strong argument. He quite agreed that the object of Standing Orders was to give full notice to all parties whose interests might be affected. This notice, no doubt, had not been given in this case; but the dissentient parties could not be said to be taken at a disadvantage, as they were fully represented. In fact, they had the start, and had their own measure advanced several stages. It was possible, no doubt, for the promoters of this scheme to be heard against the one already before Parliament, but the Committee could not take cognizance of the alternative scheme unless it was before them, and, if the promoters proved their point, could only reject the first Bill, by which much time would be lost, and the great object of staying ruinous suits unattained. Upon these grounds, while carefully refraining from expressing any opinion on the merits, he could not help thinking on the whole that it would be advisable to let this Bill go before the Committee, and that it would be a harsh measure to reject this Motion. With regard to the proposal of the hon. and gallant Member for North Lancashire (Colonel Wilson Patten), it was, he confessed, one which had often occurred to himself, and which, in his humble opinion, the House should seriously consider. Apart from the weight justly due to the hon. and gallant Member's authority, and without wearying the House with arguments which must suggest themselves to every one, he thought that an exceptional case like this justified and required exceptional treatment. He recommended that both Bills be referred to a Committee to be carefully selected by the House, in order that, if possible, some useful measure might be passed and come into operation at the earliest possible moment.

Question put, and *agreed to.*

TIPPERARY ELECTION.

House informed, that the Committee had determined,—

That the Honourable Charles White is duly elected a Knight of the Shire to serve in this present Parliament for the County of Tipperary.

And the said Determination was ordered to be entered in the Journals of this House.

House further informed, that the Committee had agreed to the following Resolutions:—

That no such case of general riot at the last Election for the County of Tipperary has been proved as would make the said Election altogether null and void.

That it was proved to the Committee that, previous to the last Election for the said County, divers of the Roman Catholic Clergy exercised their influence upon their congregations in a manner calculated to prejudice the free choice of the Electors, but that such conduct on their part did not in the opinion of the Committee amount to the offence of undue influence as defined by law.

That serious disturbances took place at the last Election for the said County, at the polling places and in other localities, which materially interfered with the Electors tendering their votes.

That the Committee have no reason to believe that corrupt practices have extensively prevailed at the last Election for the said County.

Report to lie upon the Table.

Mr. Stephen Cave

Minutes of Evidence taken before the Committee to be laid before this House.—(*Sir Philip Egerton.*)

INDIA—CLAIMS ON OUDE.

QUESTION.

Mr. BLAKE said, he would beg to ask the Secretary of State for India, with reference to the statement made by his predecessor on the 23rd of July last, that the claims against the late State of Oude, which have been investigated and reported upon by a Commission in India, "were claims of a moral character;" and to the fact that a notarial Copy of the Bond granted to Captain Thomas Edwards by the Vizier of Oude, as admitted in the Report of the Commission, was produced before it from the archives of the Supreme Court at Calcutta; What arrangement he proposes to make with a view of coming to a settlement of the amount due under the Bond, in order to carry out the pledge which was given to this House by the President of the Board of Control, on the 12th May 1857, "that all the public and *bonâ fide* claims against the State of Oude would be paid out of the revenues of the country."

Sir STAFFORD NORTHCOTE, in reply, said, the Question which had been put by the hon. Gentleman was a peculiar one, and he thought unusually argumentative. The only answer he could give to it was, that this question was considered by his predecessor and his Council on the Report of the Commission to which the Question referred, and that the Report of the Commission had decided that it was not a case in which, from the evidence, there was any claim on the part of the representatives of Captain Edwards against the late State of Oude. His predecessor in Council had approved the Report of that Commission. He need not inform the hon. Member that in matters of finance the Secretary of State had no power to act without the assent of the Council. The matter had not been brought before him officially; but he had looked into the evidence, and he was perfectly disposed to believe that in the form in which it was presented to the Commissioners, and afterwards brought under the notice of his predecessor and Council, the conclusion arrived at was right. But he had been told privately that there was certain evidence not brought before the Commissioners which might have affected their opinions. If that was the case, and if his attention were called to the fact of any evidence not brought before them, he should be perfectly willing to refer that evidence to them and ask them if it would have made any difference in the conclusion at which they had arrived. But he might just say that, as this was described to be a "claim of a moral character," he understood that moral claims against the British Government arose in this way—when we took possession of Oude, and prevented the Sovereign from paying any debts that might be due from him, the Government considered itself liable for any debts that would otherwise have been paid; but this was a claim in respect of a very old debt, incurred seventy years before the annexation of Oude, which had been repudiated by the Sovereigns of Oude, and which, if the annexation had not taken place, in all probability would not have been paid. In that case he could not think there was any moral claim for payment out of the revenues of this country.

TRANSPORTATION TO WESTERN AUSTRALIA.—QUESTION.

Mr. CHILDERS said, he would beg to ask the Secretary of State for the Home Department, with reference to the recent chartering of a ship to convey convicts to Western Australia, How soon transportation to that colony will finally cease; and, whether the supply of convicts for Public Works in connection with the Dockyard extensions in this country has been represented to the Home Office as inadequate?

Mr. WALPOLE said, in reply, that transportation to Western Australia would cease at the end of the year. One ship had been chartered to go out now, and there would be another chartered to take out between 200 and 300 convicts more. That was the extent of our engagements, and we were bound to fulfil them. With regard to the deficiency in the supply of convict labour in the dockyards, there was no particular information at the Home Office, but he would make inquiry upon the subject.

STORM SIGNALS.—QUESTION.

Colonel SYKES said, he wished to ask the Vice President of the Board of Trade, When the Returns relating to the Meteorological Department of the Board of Trade, ordered by the House on the 12th day of February last, and the Returns relating to Memorials on the subject of Storm Signals, ordered on the 7th ultimo, will be laid upon the table?

Mr. STEPHEN CAVE, in reply, said, he had already that evening laid on the table of the House the latter Returns; he hoped to lay the former on the table next week.

VOTING PAPERS.—QUESTION.

Mr. SYNAN said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he proposes retaining and moving in Committee on the Representation of the People Bill the Clause for the use of Voting Papers?

The CHANCELLOR of the EXCHEQUER: Yes, Sir, it is my intention to retain in the Representation of the People Bill the clause for the use of voting papers, and I hope it may be adopted by the House. I hope also it may be adopted in Ireland. That, I think, is a country in which it would work very advantageously.

IRELAND—COURT OF EXCHEQUER.

QUESTION.

Mr. LAWSON said, he wished to ask the Chief Secretary for Ireland, Whether, having regard to the Second Report of the Irish Law and Equity Commissioners, it is the intention of the Government to fill the vacancy in the office of Master of the Court of Exchequer in Ireland?

Lord NAAS replied, that he had not heard that there was any vacancy in the office of the Master of the Court of Exchequer in Ireland. In fact, he rather believed there was no such vacancy. Of course, if such a vacancy should occur it would be for the Government to consider whether it should be filled up or not.

MARINE MUTINY BILL.—QUESTION.

Mr. OTWAY said, he wished to ask the First Lord of the Admiralty, If the Second Reading of the Marine Mutiny Bill would be taken that evening? He understood it was the intention of the right hon. Gentleman to introduce certain alterations in order to bring it into harmony with the Mutiny Bill. He (Mr. Otway) had the Paper showing the alterations to be introduced into the Marine Mutiny Bill of the present Session, but the alterations to which he referred were not comprised in it. He wished therefore to ask the right hon. Gentleman, whether this Paper contained a correct list of the alterations proposed to be made?

Mr. CORRY said, the Paper to which the hon. Gentleman referred had been printed before the Mutiny Bill had passed through Committee, and therefore did not comprise the alterations necessary to make the two Bills in conformity with each other. It was his intention to take the second reading of the Marine Mutiny Bill that evening.

Mr. OTWAY said, he wished to know what regulations Marines would be subjected to in future?

Sir JOHN PAKINGTON said, that Marines on shore were in exactly the same position as soldiers; but when afloat they were subject to the ordinary naval discipline.

ITALY—THE MINISTRY.—QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he has received any information that the Italian Ministry, presided over by Baron Ricasoli, had resigned; and, if so, whether the noble Lord concluded that that resignation was definitive?

Lord STANLEY: I have heard, Sir, that the Italian Ministry has resigned; but whether that resignation is definitive or not, is a question that I am not able to answer.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY—THE WAR OFFICE.

MOTION FOR A SELECT COMMITTEE.

Lord EUSTACE CECIL said, in referring to the Notice that stood upon the Paper in his name, announcing his intention of calling the attention of the House to the necessity that exists for a re-organization of the War Office, in order that the efficiency and prompt action of all the subordinate departments may be increased, and to move for a Select Committee to inquire into the best means of accomplishing that object, he had to state that when he put that notice upon the paper some days ago, he was ignorant that the right hon. Member for Inverness had a previous Motion upon the same subject upon the paper. Having since been informed of that fact, he begged to withdraw the notice that stood upon the paper in his name.

EDUCATIONAL GRANTS.

RESOLUTION.

Mr. LOWE: Mr. Speaker—I rise to move the Resolution of which I have given notice—

> "That this House dissents from so much of the Minute of the Committee of Council on Education as provides for an increase of the Grants now made to Primary Schools."

I have to preface what I have to say upon this subject by congratulating the noble Lord (Lord Robert Montagu)—and I must also congratulate Her Majesty's Government—upon his accession to the place of Vice President of the Committee of Council. I beg further to congratulate his party and the country upon the appointment to such a position of a nobleman who holds such enlarged and liberal principles upon the subject of education. I read with the greatest pleasure the speech that the noble Lord delivered at his re-election, from which it would appear that we are at last in a fair way to have settled a question which has proved most irritating, vexatious, and difficult. I saw with much pleasure that the noble Lord intends to adhere to the Conscience Clause, which he intends shall be not only the condition upon which building grants to schools are to be made, but also the condition upon which the annual grants are to be made. I read that declaration with the most sincere pleasure, and I hope that when the noble Lord rises to take part in this debate, he will inform us what measures Her Majesty's Government propose to take in order to give the utmost effect to that most wise and auspicious declaration. I must entreat the patience—which I will endeavour not to exhaust—of the House while I draw its attention to this subject, which is of a very abstract and technical character, though I think the issue before us is one that we can all understand. The question we have to determine is, whether the Education Estimates shall be increased by the sum of £70,000, and I ask the House to dissent from that increase being made. I beg not to be misunderstood in making that observation. I would not grudge the sum of £70,000 per annum, or a much larger sum, for the education of the people, if I believed that the money would produce a beneficial effect. I have assisted on more than one occasion in reducing the amount of the grant for public education; but on those occasions I saw that the reductions were consistent with — nay, I believed would be the cause of—the greater efficiency of the system. Therefore, I beg that the House will understand that, although I am a friend to economy, I only uphold economy when combined with efficiency. I think that no sum that this House would grant would be too large if by its aid the education of the people would be rendered more efficient. But the House should recollect that our system of education is a voluntary system, and that it is quite possible to spend large sums upon a voluntary system, not only without increasing, but actually diminishing its efficiency. A voluntary system depends not so much upon grants of public money as upon the spirit of those who volunteer, and if you overload the system by grants of public money you merely clog the efforts of those who are endeavouring to carry it out; you deaden the action of the system rather than enliven it. Now, Sir, in 1862, those who had then the charge of public education saw by the light afforded them by the Report of the Royal Commissioners that the grants were given in such a way, that they were obtained by schools, whether they deserved them or not, that they were given in such a mannner as to impede the control that the manager ought to have over his school; that vested interests were being created which it might be difficult to get rid of, that the system was altogether one of great complexity, and that it could not be expected that any ordinary person who did not devote his time to the subject could really understand it. Acting upon these views, we introduced very large and sweeping changes; we reduced the grants from a large number of heads to two. We allowed 4*s.* on every child for average attendance, and 2*s.* 4*d.* for every child who could satisfy the inspector in reading, the same for writing, and the same for arithmetic, making in all 8*s.* on each child. By this means we reduced the system of grants to something like simplicity. We did away altogether with grants to teachers, thus avoiding the creation of vested interests, and we also did away with the very pernicious practice of giving bounties to pupil-teachers. This latter part of the system then in force was likely to have had a very bad result, because while the Government paid only one-third of the salaries of the adult assistant teachers, they paid the whole of the salaries of the pupil-teachers, thus giving a premium upon the employment of pupil instead of adult teachers. It is necessary that I should state these facts in order that the House may fully understand the state of things with which we had to deal. The alterations of 1862 created a great panic among the managers of schools, who succeeded not only in frightening the public but themselves also—

> "Scared by the noise themselves had made,"

and no doubt for a year or two that panic had a most injurious effect upon the extension of the system. Since that period, however, the advance that the system of education has made has shown that the plan of 1862 has worked most satisfactorily. The increase in the number of schools since 1862 has been 1,035, while the number of pupils has increased by 110,000, and this increase in efficiency has been effected with a saving of expenditure, as calculated by the right hon. Gentleman the Member for Merthyr (Mr. Bruce), of £400,000, but which I am inclined to place at £100,000 higher. We are now asked to add £70,000 to the expenditure, and I should be only too happy to assent to that proposal if I thought that the public would receive a *quid pro quo* for their money; but I am afraid that by this additional expenditure we shall not be extending the advantages of the present system or giving any real impulse to education. On the contrary, I believe that this additional grant will be wasted where its effect is not mischievous. These certainly are strong assertions, but I will endeavour to prove their truth. The right hon. Gentleman the First Lord of the Admiralty (Mr. Corry) in proposing this Minute said, that there were three faults in the present system—the first was that the smaller schools were unable to comply with the conditions of the Revised Code—that is, that the conditions were too hard and too stringent for these small schools to comply with them, and that they therefore lost the grant. The second objection was that too much attention was given to reading, writing, and arithmetic—the subjects beyond them of geography, astronomy, grammar, and history being much neglected, and that the pupils were not thoroughly well taught, and, in proof of this allegation, he showed how few pupils passed through the three uppermost examinations. The third objection taken by the right hon. Gentleman was that, under the present system, the number of pupil-teachers had declined very much indeed, and this he considered to be a very great blow to education. [Mr. CORRY: Hear, hear!] I gather from that expression of assent from the right hon. Gentleman that I have stated his objections correctly, and I need scarcely say that it is my desire to state them as accurately as possible. Now, with regard to the first of these objections, I am not sure that the fact upon which it is founded can be considered an evil. I believe that whatever grants are made they should be uniform, and that if the grants are to bear hardly upon any schools, it should be on the smaller ones, as there is a tendency in the denominational system under which education in England is regulated to make schools small. Each denomination likes its own school. Where there should be only one school there are two or three. I cannot think that that is an evil which counteracts this spirit of subdivision and dispersion, and induces the denominations to coalesce in schools where the education will be better, and where the money will go much further. For the sake of argument, however, I will admit that the regulation upon this point is an evil, and I will presently proceed to show how the right hon. Gentleman proposed to remedy it. I do not see that there is any force in the right hon. Gentleman's second objection, which alleges that reading, writing, and arithmetic are attended to, to the neglect of higher branches of study. This system of education is not intended to apply to the upper or the middle classes, but to those who are too poor to pay for education themselves. It is a very anomalous system to say the least of it, and I think that we cannot too firmly direct our view to its essential portions, disregarding that which I may, perhaps, describe as its ornamental features. There can be no doubt that an enormous number of children leave school before they are twelve years of age, and if we can teach them to read with facility, to write legibly, and to cast accounts, I think we do a great deal. It is more than we have been able to do up to the present time. My right hon. Friend, however, while complaining of neglect in this direction, complains also that the higher subjects are not sufficiently well taught; but it seems to me that one objection answers the other, for if they cannot teach children to read and write during their school life, what chance have they of teaching them grammar or geography? Then, as to the decline in the number of pupil-teachers. The number of pupil-teachers was artificially increased by the determination of the Privy Council to pay the whole of their salaries from the public money, while a third only of those of the adult teachers was so paid. That policy, of course, gave an enormous bounty upon the employment of pupil-teachers, and it always appeared to me that that was a false principle, contrary even to the very rudiments of political economy. It must also be remembered that until 1862 the teachers received a grant in augmentation of their salaries. This augmentation was then withdrawn, and it was determined that the money should be paid to the managers to do as they pleased with it—a course by which the Government and the teachers were no longer brought into contact with each other. That course was, no doubt, necessary, because vested interests, which would have been intolerable, were growing up under the old system. Having taken the teachers, however, from the hands of Government, and having handed them over to the iron laws of political economy, we now, when the bitterness of grief is past, begin again to tamper with those laws of political economy in a contrary direction, and after throwing the teachers upon the market we now proceed by our bounty to create an artificial supply of competitors. I have been no advocate of certificated masters; it has been my misfortune before now to give them great displeasure; but I cannot conceive greater injustice to that class than to send them into the market, and then artificially to glut that market with competitors, who but for our conduct would not be there. I entirely dissent, therefore, from my right hon. Friend's statement of grievances; and, so dissenting, I cannot be expected to assent to the remedies he proposes. I will, however, for the present, waive all question of assent, and proceed to inquire how far his proposals will remedy the evils of which he complains. I will state what I regard as a crying evil. The crying evil is not, I think, the inevitable fact that while small schools are more expensive to maintain than large ones we are obliged to apply the same measure in all cases. That fact is inseparable from the principles of rendering Government assistance, and the adoption of any other course would give rise to endless disputes. That is not the difficulty of the system. The difficulty is that, being a voluntary system, it is liable to break down for want of volunteers. There are many parishes in the country where persons will not come forward to assist schools. Consequently those parishes whose inhabitants contribute to the taxes, as well as others, and who have children to be brought up by the State, see this golden river of the Privy Council flowing past them without leaving any of its wealth on their shores. If my right hon. Friend had come forward to supplement what has been done without destroying the system as it exists, I should have thought £70,000, or even a much larger sum, a very small amount to pay for such an object. But the fault of the system does not lie in the direction that my right hon. Friend, from the short time that he has had experience of the office, has not unnaturally supposed it to lie. Now, I come to see how far the remedies which my right hon. Friend proposes are calculated to attain the object for which they are intended. He lays substantially two minutes before us—the one addressed to the question of pupil-teachers, and the other to the question of capitation. At present the school has to employ one certificated master or assistant teacher for every eighty children after the first fifty, and in the new grant he proposes to reduce the number of pupils from which you are to take the departure from fifty to twenty-five. He then proposes to give a grant of £8, I think, for every pupil-teacher who passes a first-class examination in a training college, and £5 for every pupil-teacher who passes a second-class examination. I may inform my hon. Friend (Mr. Stuart Mill) that this ungallant minute refers entirely to the male sex, excluding the female pupil-teachers altogether. Now, this grant will, no doubt, be very acceptable to those schools which by means of capital, energy, and enterprize have done well, and which are well furnished with pupil-teachers, but it will not afford any stimulus to schools which do not possess these advantages. This is a matter of pounds, shillings, and pence. The cost of a pupil-teacher we assumed to be £15 a year, and consequently those who do not already employ the pupil-teachers will not be induced to do so by this grant, because by doing so they will sustain a heavy pecuniary loss. They will have to advance the salary of the pupil-teacher for several years, amounting to perhaps £50, and will receive perhaps £8 at the end of them, perhaps nothing. Now, a grant of that kind I call a waste, because it will be given to those whose present arrangements will entitle them to it, while, owing to the great discrepancy between the amount of the grant and the expense which would be incurred to obtain it, it will not stimulate the employment of fresh pupil-teachers. Even admitting, therefore—a thing that I entirely dispute—that it is right and proper to spend the public money in turning the market against the certificated masters whom we have deprived of their augmentation, the money would, I believe, still be wasted. I now come to the more important and the more complicated part of the matter. At present 2*s.* 8*d.* is granted to the managers of the schools for every child who passes in reading, writing, and arithmetic. This grant my right hon. Friend proposes to increase by 1*s.* 4*d.*, but he attaches to the payment of the grant to a school the condition that the passes in reading, writing, and arithmetic must exceed 200 per cent of the annual average number of scholars in attendance who are over six years of age—a condition which I take to mean that the passes must be twice as numerous as the pupils above that age, or that each pupil above six years old must pass in two subjects. He then says that the school must have at least one-fifth of the scholars above six years of age passed in the three upper standards, and he says, moreover, that there must be one subject besides reading, writing, and arithmetic in which the inspector shall report the children to be proficient. Now, I would not grudge this or any larger increase if I thought it would do good; but let us take my right hon. Friend's own showing that this is intended to benefit the small schools. Observe, we begin by paying to all schools, small or great. My right hon. Friend will not dispute for a moment, I am sure, that the larger schools are amply paid under the present system. The large schools already get quite as much as we should wish, and perhaps in some cases more. Where a school is in a town and is attended by the children of respectable people who can pay, and pay handsomely, it is in a prosperous state and can afford that tuition which enables it to obtain large grants; but where a school is small and in a remote locality it cannot afford to do so. What, then, does my right hon. Friend propose? He says he wants to help small schools, and in order to help them he gives a grant, 99-100ths of which will go to the large schools which do not want it, while the small schools can only get the remainder by complying with very strict and difficult conditions which they are notoriously unable to comply with, for they are the very schools which, as he himself admits, are unable to satisfy the existing requirements of the Privy Council. So that the course we are asked to pursue is to make a grant for the aid of small schools, the lion's share, and much more than the lion's share, of which shall go to the large schools, which do not want it: and as to the remainder, to clog it with conditions which shall prevent the small schools getting even that. And that is what is called stimulating and assisting small schools! Sir, if that is not a waste of public money, I do not know what is. It is doubtless desirable to assist small schools if possible, but the difficulties are great. In assisting small schools there are two principles upon which we may proceed. If we are to give grants for efficiency, it is impossible to assist small and poor schools to the same extent that we do large ones. If we are to give it for need, we may indeed do that, but it will break down the whole system. Between these two alternatives we are placed, and what I submit is that my right hon. Friend has not extricated himself from either. He has not broken down his system by giving to poor schools, but what he has done is this—while he has had in view giving assistance to small schools, poorly supported and weak in their staff, he has really given a quantity of prizes to large schools that do not want it. I do hope, therefore, that the House will pause before they grant £70,000 to be expended in this manner. As I said before, it is not here that the shoe pinches; it is in a different direction—it is in the inability of the voluntary system to extend itself all over the country. I think my right hon. Friend has turned his attention in the wrong direction. The problem he had to solve was not to give more grants to schools that do not want it, in the vain hope of giving it to those which do, but to extend the system and make it pervade the country. Education I know has an all-atoning sound, and it appears very invidious to refuse anything that is asked for in its name. If my right hon. Friend can show us that this money will do any substantial good to the cause of education, by all means let us vote it; but, till I am answered, I shall maintain that I have shown the House that the objects which my right hon. Friend wishes to attain are not objects which it is peculiarly desirable to attain, while even assuming that they are desirable his means entirely miss the end he has in view. They would not in reality largely increase the number of pupil-teachers, they would not give any impulse to studies beyond reading, writing, and arithmetic, and would not do anything worth speaking of towards helping small schools; for, while my right hon. Friend makes grants and spends an enormous sum of public money to be able to include them, he annexes conditions which would effectually exclude them. It is like the old story of the man who could not think of any way of roasting his pig except burning down his house. I beg to submit this also—that having got a system which works efficiently and economically, we should do wisely for the present to let it alone; and for this reason—that such is the feeling of nervousness and anxiety all over the country from the changes that have been made, and made under the compulsion of the Report of the Commission, that even a beneficial change—a change by which more public money finds its way to managers of schools—will be looked upon with jealousy, because it will shake the feeling that this matter is not likely to be tampered with. I think managers of schools are entitled to this security as long as the system under which they act does really perform what its projectors contemplated. As long as schools go on increasing, and the attendance of children becomes larger year by year—as long as the grant is kept within reasonable proportions, we should not interfere with it and alter the conditions, because the inference is obvious, that the same interference which in a hot fit adds to these grants, may, in a cold fit, take away from them. Nothing is more desirable than that those on whose money we count to support the schools should feel that they have something permanent and definite on which they can count, and adapt their arrangements to it. I am quite sure that the changes which were made in 1862, however much they were repined at at the time, have given the present system a new lease and a new chance. I do not regard that system as abstractedly right, and I have never concealed that opinion; but I should be most unwilling to see it swept away, because before a new system could be organized on its ruins—and it has struck deep roots into the country—the education of one generation of Englishmen would be nearly lost in the course of the transition from the old to the new. Try, therefore, by all the means you can to extend the system where it has not yet reached; keep it economical, that it may be popular and tolerable; above all things, look carefully to its efficiency, and then I think we shall be in a condition, when some few years have passed, to see whether the system can be moulded or extended so as to be worthy to be a national system, or whether it must give way to something more logical. Of this I am quite sure, that those are the worst enemies of the system who, for whatever reason, tamper with it—whether from feeling the difficulties which managers have to contend with, or perhaps from a feeling of the great popularity to be gained all over the country by undoing changes which were wrought out with so much unpopularity to those who made them. If once it is understood that he who tries to economise the public money and to secure efficiency is only labouring to give some one else a *douceur* to give away and so acquire popularity, the death knell of the system is sounded, and it must make way for something which, whether more efficient or not, will be more in accordance with the feelings of Parliament and the reasonable wants of the country.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House dissents from so much of the Minute of the Committee of Council on Education as provides for an increase of the Grants now made to Primary Schools,"—(*Mr. Lowe,*)

—instead thereof.

Mr. CORRY: Although I am no longer connected with the Department which this Minute concerns, yet as the author of the plan on which it is founded, I think it right to say a few words in its defence. My right hon. Friend has stated that while he regarded it as a great mistake to add £70,000 to the Education Vote, he would not complain of that large expenditure if he believed it would conduce to any useful purpose; but that not believing it would do so, he felt it his duty to oppose it. I quite agree that if this additional expenditure would not serve any useful end the House ought to refuse to grant it; but I am convinced not only that it will be usefully employed, but that the state of education in some of the schools receiving a public grant is becoming such as to render it absolutely necessary. My right hon. Friend has remarked that one of the objects of the Minute is to give assistance to small schools, which is quite true. But he has added that he does not look on the exclusion of small schools from sharing in the grants as an evil. My right hon. Friend stated on a recent occasion that his position was one of isolation, and that he could not get any one to agree with him. But in this instance he does not even agree with himself; because in 1862, when he explained the Revised Code to the House, after having enumerated 964 parishes, in five counties only, having a population of less than 600, which derived no assistance from the State, he said—

> "These districts contribute to the revenue equally with others; and it is exceedingly desirable, on the ground both of justice and policy, that they should receive back some share of the money."—[3 *Hansard*, clxv. 199.]

Yet my right hon. Friend now thinks the exclusion of small schools is not an evil.

Mr. LOWE: Will the right hon. Gentleman allow me to explain? What I said was, that I thought the exclusion of small schools was a great evil; but that it was not a great evil that small schools should be more expensive to maintain than large ones.

Mr. CORRY: I am glad to find that my right hon. Friend admits the exclusion of small schools to be a great evil. It must, therefore, be desirable to give them some assistance. My right hon. Friend went on to state that although it had been complained that under the existing system the education given in schools was almost exclusively confined to reading, writing, and arithmetic—grammar, English history, and geography being neglected—he did not think that that was an evil, because the great object in educating the children of the poor was to teach them reading, writing, and arithmetic. On a former occasion I quoted the opinions of some of the most intelligent of the inspectors of schools, who agreed in regretting the practical exclusion of higher subjects. I do not want to introduce any very ambitious system of education; but I certainly think it desirable that children should know something of the country in which they live, and something of what its history has been. During the autumn I happened to be in a country town, in which there were several Protestant schools and one Roman Catholic school. I happened one day to meet a respectable looking boy and got into conversation with him. In answer to my questions he told me he was eleven years old, and had lately left school, that he had never learnt anything of geography, and had never heard of such places as Dublin, or Edinburgh. I then asked him whether he had been at the Roman Catholic or at a Protestant school? He said a Protestant, and when I further inquired if he knew the difference between a Protestant and a Roman Catholic, he said, "Oh! the Roman Catholics are people who burn candles in the daylight,"—which this intelligent youth considered a convincing proof of the errors of Popery. I am not quite certain whether the boy's answers may not have put it into my head that this was a common case of neglect in all schools, and so have led to the inquiry which resulted in the framing of this Minute. My right hon. Friend alleges that if the reading, writing, and arithmetic are not in a satisfactory state it affords a conclusive argument against teaching boys grammar and history; but I remember quite well that when I proposed my Minute, some weeks ago, my predecessor in the office of Vice President of the Council (Mr. Bruce)—for whose ability and judgment everything that I saw when I was in that office inspired me with the greatest respect—agreed with me, and disagreed with my right hon. Friend; for he stated that, in his experience, in whatever schools the higher subjects were successfully taught, there also reading, writing, and arithmetic were also found to be most carefully attended to. Therefore, my right hon. Friend (Mr Lowe), I think, fails to make out his argument that teaching the higher subjects tends to weaken the instruction in the elementary branches. With regard to the number of children examined and their proficiency, I will again state what the latest statistics show. The average attendance of children in England and Wales for the year ending the 31st of August was 863,240, of which number 566,371 were presented for examination. 284,027 of these passed the three lower standards, and upwards of 80,000 in the fifth or higher standard. But the number of those who passed Standard VI, or the highest standard, was 13,000 only, out of a total of 566,000. My right hon. Friend stated, not in a speech, but in a much more formal manner—that is to say, in the Report of the Committee of Council for Education for the years 1861-2, drawn up by himself and by my noble Friend Lord Granville—

> "We regret that our first proposal to examine children for grants according to their age had to be withdrawn. We cannot think that the opposition which this measure, adopted upon the recommendation of the Royal Commissioners, encountered rested upon good grounds. The school itself, for the purpose of instruction, must, of course, have continued to be organized according to proficiency; but age and proficiency coincide, in fact, far oftener than not. The change of arrangement for examination (supposing such a change to be necessary, which it is not) would have been partial only. The reason for examining according to age was this; the amount of proficiency required by Standard VI. represents the minimum of book instruction which can be put to practical use in life. Less than this is almost sure to be forgotten, because it cannot be used with pleasure or profit."

Only 13,000, therefore, out of 566,000 have attained the standard which my right hon. Friend thinks the minimum amount of book learning that can be of practical use to a child. When it became my duty to consider these things I came to the conclusion that it was absolutely necessary to give some further encouragement to education, and to raise it from the state of stagnation in which I found it. With that view I recommended to Her Majesty's Government, by whom it was adopted, the Minute which I had the honour to propose some weeks ago. My right hon. Friend refers to pupil-teachers, and considers there is no necessity for encouraging an increase of their numbers. But men who know as much of education as my right hon. Friend himself—Mr. Tuffnell, for instance, in his evidence before the Education Committee, and nearly the whole of the twenty-three inspectors of schools in England, whose general Reports are appended to the last Report of the Committee of Council—allude not only to the decline in the number of pupil-teachers, but express the greatest alarm at the growing deficiency. I will not trouble the House with quotations; but the deterioration in the character of the education given in some of our schools is almost universally attributed to the falling off in the number of the pupil-teachers. My right hon. Friend talks of this attempt of mine to increase the number of pupil-teachers as inconsistent with the principles of political economy. I do not care what the principles of political economy may be; but this I will say, that, as the Minister charged with the education of the people of the country, when I found a great falling off in teaching power, and by the reduction in the number of pupil-teachers a great injury resulting to the education of the children, and when

I found, moreover, a great diminution in the supply of candidates for the certificate, threatening to break down the whole system of certificated teachers, it appeared to me that my duty was clear to take immediate action, and I lost no time in submitting the outlines of the Minute for the consideration of the Cabinet. I do not care whether I violated the rules of political economy or not; my object was to improve the quality of the teaching in the schools by increasing the number of pupil-teachers; and, notwithstanding the sinister auguries of my right hon. Friend, I have no doubt that the Minute will effect the object at which it aims. My right hon. Friend says that before the introduction of the Revised Code, the salary of a pupil-teacher was £15 on the average of the five years of apprenticeship. But at that time the State paid the salary of the pupil-teacher, and the State always pays more than persons in private life. I inquired a short time ago from a very intelligent diocesan inspector what was the average rate of payment to pupil-teachers in his district, and he told me about £9 a year. That was in a rural district; in an urban district it would undoubtedly be higher. But, at all events, the rate of £15 put by my right hon. Friend is far above the present average even in large towns. As to the cost of an extra pupil-teacher, you must remember that additional teaching power can hardly fail to produce additional results of teaching; and that it must, therefore, be assumed that the number of passes would be increased by the employment of a greater number of pupil-teachers. In looking over one of the Inspectors' Reports recently received, but not yet presented to the House, I found a particular school mentioned, in which a pupil-teacher having been dismissed, through the poverty of the school, there had been a falling off of 30 per cent in the number of the passes, and, of course, the payment on results to which the school was entitled was diminished in proportion. It may naturally be inferred that if, under this Minute, a pupil-teacher is again employed in this school, the payment on passes would be restored to its former amount, which would be a further contribution towards the salary of the pupil-teacher. My right hon. Friend is of opinion that the educational conditions required by the Minute are too stringent, and that few schools will be able to fulfil them; but they were very carefully considered by my right hon. Friend the President of the Poor Law Board (Mr. Gathorne Hardy), by my right hon. Friend the Secretary for India (Sir Stafford Northcote), by Mr. Lingen, and by two of the inspectors of schools, and they all came to the conclusion that they were not too severe. In point of fact, the conditions, in general, require less than what the average of schools now accomplish—our object being to place the increased rate of payment within the reach of indifferent schools, and thus lead to their improvement. One of the points made by my right hon. Friend (Mr. Lowe) was that this additional grant of £8 would be mainly for the benefit of large schools which did not want it, to the exclusion of others by which it was really more needed. But I can assure my right hon. Friend that he is quite wrong in that respect. He says all these large schools are very rich. I believe a great many of them are very poor. A clergyman—the incumbent of a parish in London—told me some time ago that the managers of the school in his district were obliged to work it at the minimum cost possible—which he explained to mean that, whenever the limit as to numbers prescribed by the Code was reached, they suspended the further entry of children, as their funds could not afford the expense of an additional pupil-teacher. That is a state of things far from satisfactory. The effect, then, of this Minute will be not only to give assistance to necessitous small schools, but also to such large schools as may require it. I should have thought that my right hon. Friend would have been the very last person in the House to object to the Minute, because its objects are in strict conformity with the views which he himself expressed in the year 1862, but which the Revised Code has in some respects failed to realize. It offers some assistance to small schools with the view of helping them to fulfil the conditions which would entitle them to a public grant—and this my right hon. Friend stated to be in accordance with every principle of policy and justice. It holds out inducements to improved teaching, and I have shown that, under the existing system, the results fall far below the minimum which my right hon. Friend considers indispensable. It encourages the employment of a pupil-teacher where there are sixty-five children in average attendance, instead of ninety, as at present, and the original draft of the Revised Code, as prepared by my right hon. Friend, proposed that there should be a pupil-teacher for every thirty children. If you are of opinion that one unassisted teacher can be capable of instructing eighty-nine children of various ages, vote with the right hon. Gentleman—if not, vote with me. If you consider the results of the examinations, as shown by the statistics I have quoted, to be satisfactory, vote with him—if not vote with me. In short, if you wish to discourage education you will vote with him, but if you wish to encourage it, you will vote with me.

MR. POWELL said, that on former occasions he had made complaints of the continual changes of the system, on the ground that they produced uncertainty and prevented its extension and expansion. But the difficulty arose to a great extent from the fact that all the changes had been in the direction of economy. It was rather surprising, in the present state of politics, to find the right hon. Gentleman (Mr. Lowe) such a persistent advocate for fixity and permanence of system. The right hon. Gentleman looked upon the Revised Code with the view of some ancient law-giver, who desired that his laws should remain in a state of fixedness. The right hon. Gentleman himself stated, before the Committee on Education, that he—

> "Considered the Minutes as they then existed did very well, and felt like Lycurgus did when he made the Spartans promise to keep his laws until he came back again."

But even Lycurgus was a benevolent man, and would have had no objection to an improvement of his laws to meet an altered state of society. He (Mr. Powell) hoped that means would be found to improve our educational system which would be consistent with perfect efficiency. The right hon. Gentleman seemed to underrate the difficulty of school management; and he had not borne in mind the necessity for a high standard of teaching. The children of the working classes came from homes where books were rare, and the faculty for using them with advantage rarer still; and this rendered it necessary that they should have a much more powerful teaching staff. No doubt there was a great diminution of pupil-teachers. This would cause in time a reduction in the number of masters. Therefore, the Government were bound to take into consideration this state of things. The deficiency existed more with regard to males than females; and therefore he thought that the Government had done right in giving the greater stimulus to male teachers. No doubt with regard to small schools the great difficulty had been that they did not receive sufficient assistance from educational grants. In many small parishes there did exist schools; but the education was of a very defective character, and he understood that it was the intention of the Government gently to draw these schools within their influence, and to supply them with a higher class of teachers, in the hope that education might receive a corresponding advance. He believed that under the proposed system a considerable number of small schools would be drawn within Government influence. The right hon. Gentleman omitted to consider that as schools increased they would require an increased number of pupil-teachers; that they must increase the number of pupil-teachers to supply the place of those who passed into training colleges; and that inducements must be offered to managers to effect these objects. He (Mr. Powell) thought that it was a wise and just provision that children must pass a higher standard in a greater proportion before the schools could derive advantage from the increased grant; for there was reason to suppose that the children were too often kept within the lower standard. He believed that the absence of teaching in the higher subjects was a great deficiency of our present system, and that they should teach reading and writing with a double object—first, that of merely teaching it; and secondly, that of impressing the minds of the pupils with higher knowledge. In some parts of the Continent education had been narrowed, as with us, to its very elements; but last year a proposal was made to improve education in France, and part of the plan was to teach geography and the history of the country. The Minute appeared to him to be beneficial.

MR. BRUCE said, his right hon. Friend (Mr. Lowe) had divided his attack on the Minute into two parts. In the first place, he said that nothing was required; in the second place, he argued that if anything was required the present attempt to overcome the objections to the Revised Code was ineffective and futile. Great as had been the exertions of his right hon. Friend, great as had been his courage, and great as had been his public virtue in passing that Code, still he (Mr. Bruce) was far from saying that the system was perfect and could not be improved. What had been the immediate effect of the Revised Code? All must agree that it had pressed very heavily on the resources of the managers. He had stated the other day, and he adhered to the calculation, that the schools were now receiving two-fifths less than they would have received under the old Code—namely, £622,000 instead of £1,000,000. Economy was a great advantage; but his right hon. Friend had himself said that if it could be shown that the schools had suffered by an excess of economy he should be the first to sanction a larger grant. His right hon. Friend had referred to certain defects as being inherent in the voluntary system.

Mr. LOWE said, his remark was that the proper course would be to try whether that system could not be supplemented.

Mr. BRUCE said, his right hon. Friend in his last speech on the subject had warned the House against the patching-up of the system. It was, indeed, a defective system; but whose fault was that? Over and over again Parliament had been asked by statesmen of the greatest eminence to endow the country with a system which would be adequate to its wants, and to supply it with a really national system of education. Earl Russell had asked Parliament to lay down the principle that every district should be obliged to supply itself with schools. A proposal had also been made by the right hon. Gentleman (Sir John Pakington) that such districts should be at liberty to levy rates to defray the cost of schools. The House, however, refused to adopt either principle, and the result was that the Committee of Council on Education were compelled to adopt the present system, which, he admitted, was a wasteful one. He stated the other day that a small school ordinarily cost from 35*s.* to 45*s.* per head on the inhabitants of the place, whereas a large school could generally be conducted at a cost of between 18*s.* and 25*s.* per head. Those figures showed plainly enough that, if possible, more assistance should be given to small schools than to large ones. But when the attempt was made to remedy the defects of the system, which was less generous to the poor than to the rich districts, it was met by the opposition of his right hon. Friend (Mr. Lowe). The practical difficulty was to define what were large and what were small schools. At present about 9*s.* per head was given to all scholars alike by the Government, and the consequence was that the small schools laboured under difficulties unfelt by the larger ones. Unfortunately, too, financial difficulty meant imperfect teaching. Nobody had been more strenuous than his right hon. Friend in asserting the principle that a school depended upon the teacher, and that a certificated teacher was essential to a good school. He (Mr. Bruce) went even further than that, and maintained that a sufficient staff of masters was more especially essential in small schools. The difficulties encountered by small schools in reference to the subdivision of classes were very great indeed. Having but few masters it became necessary for them to group together children of very different attainments, and the consequence was that the progress made by the pupils was less than in the large schools. When he held office in connection with the Committee of Council on Education, he felt that the small schools were suffering on account of their not possessing a sufficient amount of teaching power, and his noble Friend (Earl Granville) and himself accordingly tried to devise means for remedying the evil. Without saying that the proposals which they would have brought under the notice of Parliament were identical with those submitted by his right hon. Friend (Mr. Corry), he must at least admit that they would have been similar in principle. In regard to this matter he felt bound to say that the Revised Code was partly to blame. Under the old Code, after the first fifty children a pupil-teacher might be employed for every forty children, and, being paid by the State, he always was employed. The result was that there was always a staff of teachers adequate to, and sometimes in excess of, the requirements of the school. Under the Revised Code it was not necessary to employ a second teacher until the number of children reached ninety, and the result was that the minimum number of teachers required to obtain the grant were almost invariably engaged, to the manifest injury of the school. No doubt great benefits had been derived from other parts of the system, such as the scheme of individual examinations; but those benefits had been diminished in consequence of there not being sufficient teaching power. In 1861 the number of pupil-teachers was about 16,000; but now, when there were about 350,000 more children in the schools than there were then, the number of teachers was reduced to about 11,000. Yet at this very time Parliament was engaged in considering measures to compel children to go to school under the half-time system, the effect of which would be to send hundreds of thousands to schools. Should it, then, be to good or to bad schools? In his judgment, it would be well to insist that children employed on the half-time system should be sent only to such schools as were provided with certificated masters. When they were about largely to increase the number of schools there was no fear, in this country at least, that the position of the certificated masters would be injured by an excess of supply. The evidence of the representatives of the British and Foreign Schools, before the Select Committees which sat in 1865 and 1866, was in favour of certificated masters, and they said that the reason why they were debarred from receiving assistance from the State was because they could not get a sufficient supply of such masters. Such being the case, was it not the duty of the State, which had undertaken so much for the education of the people, to provide also for the supply of sufficient and competent masters? His right hon. Friend had said that if any schools were to suffer it was well that the small schools should, because their smallness was owing to the denominational system which multiplied schools unnecessarily. But surely his right hon. Friend must be aware that the fact of a school being small was generally owing to the thinness of the population, and that the small schools were ordinarily to be found in the rural districts. Therefore, they had a *primâ facie* claim for a special amount of assistance. But the right hon. Gentleman said that the effect of giving increased assistance would be not that the small schools which required it would receive it, but that some large schools which were already more than sufficiently paid would receive in most cases this assistance, without wanting it. It was undoubtedly true that large schools in flourishing districts might often do without State assistance at all; but that was the result of the existing system, and Parliament had over and over again refused to adopt a wiser and more elastic one. At the same time there were many large schools, for the maintenance of which the necessary funds could not be at all easily raised. In the East of London, for instance, and in the outskirts of all our populous towns, it would almost be impossible to obtain the requisite funds without raising the fees, and the effect of raising the fees would obviously be to keep the poorest children away from the schools. He was far from finding fault with the Minute of his right hon. Friend (Mr. Corry), because it was too liberal; indeed, as the right hon. Gentleman had undertaken the task of dealing with these defects in our system, he wished he had been more liberal. Instead of the 800,000 or 900,000 now at school in England and Wales, there ought to be 2,000,000. A great many schools were kept from receiving State assistance because they were unable to comply with the pecuniary conditions required by the Government. By the proposals of the Government the grant to a school of 100 children could not exceed £8, and this could not be earned except upon conditions which, however wholesome in themselves, were difficult to comply with. It was proposed that an additional grant, which certainly would not have the effect of choking and overwhelming the voluntary system, should be made to all schools with an average attendance of sixty-five children. Even that additional grant, however, could not be made without conditions. It was certainly right and desirable that every child on leaving school should know reading, writing, and arithmetic, and, indeed, in his opinion, they ought also to know something of geography, history, and other subjects. He repeated the assertion he had made on another occasion, that where these subjects were taught best the lower branches of instruction were also best taught. The results desiderated could be attained only by increasing the teaching staff; and vast numbers of schools were at present unable to employ certificated masters. The new Minute had in view the double object of increasing the teaching power in our schools and of raising the standard of elementary education. Whether the measures proposed were sufficient or not, time would prove. But they were in the right direction, and had therefore his sympathy and support.

Mr. HENLEY said, he had listened with great interest to what fell from the right hon. Member (Mr. Lowe) in the attack he made on the Minute. Having heard the answer, he could not say that the attack had been sustained. There could be no doubt that when the Revised Code came into operation, there was a tendency to a great redundancy of pupil-teachers; but that tendency had been checked. It would be interesting to learn from figures, which must be accessible, the number of certificated masters that would probably meet the wants of the country; and the average yearly number of pupil-teachers it would take to supply that want. The matter was one calling for nicety of calculation, which, perhaps, no one official person alone could make. He would not venture to express an opinion as to whether a surplus was being created; but he was quite disposed to bow to the authority of the right hon. Gentleman (Mr. Corry), who had the best opportunities of forming a judgment; and both the right hon. Gentleman and the right hon. Member for Merthyr Tydvil (Mr. Bruce) seemed to consider that there was a falling off, and that something was required to bring the number up again. There could be no reasonable objection to that part of the Minute which related to the aiding of the smaller schools. He hailed it as a pleasing symptom, and as an evidence of an indisposition to be bound by cast-iron rule. It must be remembered that the Privy Council really aided the voluntary effort of the country; that there was no system apart from that effort; and that the Government simply afforded in grants a limited amount of public money, to supplement the still greater voluntary contributions of the public. Sometimes the Privy Council was disposed to look too closely into the circumstances of a case which might greatly need their aid, and which their system did not reach. He had never spoken on this subject without expressing his regret that the Privy Council did not think that it came within the scope of their duty to endeavour to reach many of those forlorn children which in all great centres of the population were left untouched and without any assistance at all. They were the most needy, and yet they never had anything. He was consoled, however, by the fact that the Privy Council, taking a step towards those whom hitherto they had not reached, were in the right path. Therefore he would be sorry to express an opinion hostile to what the Privy Council were doing, and would give his support to the Minute as far as it went. The subject was a difficult one, and no doubt involved an enormous amount of official trouble. It was a great advantage in a public office to lay down a strict rule, and not to deviate from it; but the consequence of that must be that while spending enormous sums in aid, those who most needed aid were not reached. The Minute evinced a disposition to act upon rule, because it had been framed to meet the wants of the smaller schools only; but if some of the larger schools reaped any advantage, he, for one, should not grudge them it. He hoped that those for whom it was primarily intended would be able to take advantage of it.

Mr. PUGH, who rose amid cries for a division, said, he would be very short. He knew what time it was, and what hour it struck last—

> "Uteroque recusso
> Insonuere cavæ gemitumque dedêre cavernæ."

He wished to state briefly that he cordially supported the policy of the Government as indicated in this Minute, because it showed their desire to remove some of the difficulties of the rural districts, and to render assistance to their schools. He had no wish to undermine the Revised Code, of which the principle was good—namely, payment for results, and he did not believe the Government wished to undermine it. They were too wise in their generation; but it could not be denied that, while the old Code had ignored the rural districts, the Revised Code had, from the difficulty of the subject, or from other causes, continued the *ignoramus.* The rural districts had long reminded him of a celebrated character of former times, of mournful celebrity, who said that he came asking but little, and getting less than little, and that sufficient for him; and he went on to say—and the parallel still held good—that his adversities, his antiquity, and the nobility of his nature taught him to be contented. The rural districts had not murmured, had not made themselves heard, had sounded no note of expostulation; but they thought that, in comparison with towns and other highly favoured regions, they were to a certain extent left out in the cold.

> "Unconscious they in waste oblivion lie—
> In all the world of busy life around
> No thought of them."

And yet it would be unjust to say that their case had not often engaged anxious attention. After a diligent consideration of the question for many years, he was unable to point out any party, or any section of any party in that House, from which there had not at some time proceeded a cordial admission that the Codes, however beneficent in their action in other quarters, had failed to benefit the rural districts.

> "Quæ regio in terris nostri non plena laboris?"

But he had a confidence in the wisdom and justice of Parliament that induced him to believe that for Parliament to know of a grievance, to be conscious of its existence, was, sooner or later, effectually to redress it. He believed that the Government were anxious to take a step in that direction, and he thanked them for their good intentions.

MR. HADFIELD said, it would have been far better to have left the question of education in the hands of the people and intrusted it to their voluntary action, than to have deranged the taxation of the country by the making of grants in aid. Many of the young persons who had been trained as pupil-teachers at the expense of the State had turned clerks or adopted some other profitable occupation. The right hon. Gentleman (Mr. Lowe) had done himself great honour by his attempts to stem the flow of money from the Public Exchequer for the purpose of education. He hoped the right hon. Gentleman (Mr. Lowe) would take the sense of the House; and, sooner or later, it would be proved that he was right.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 203; Noes 40: Majority 163.

Question again proposed, "That Mr. Speaker do now leave the Chair."

WRITS FOR RE-ELECTION.

OBSERVATIONS.

SIR COLMAN O'LOGHLEN said, he rose to call attention to the practice of not issuing a Writ for a vacancy in this House if the Seat which has been vacated be claimed on behalf of another Candidate; and to move—

> "That whenever a Member of this House shall accept an Office of Profit under the Crown a Writ for a new Election may issue, notwithstanding that the time limited for presenting a Petition may not have expired, or that a Petition praying for the Seat may have been presented."

This was a matter of considerable importance as affecting the general interests of the public. According to the practice of the House, when a petition praying for the seat was presented against any person who had been appointed to an office of profit under the Crown no writ could issue until the petition had been decided. According to the old practice no writ could issue if a petition was merely presented against the return. But in 1852 it was decided by the House, in the cases of Southampton and Carlow, that the writ should issue in those cases where the seat was not prayed for. He could see no difference between the cases where seats were prayed for and where they were not. By the present practice no writ for a re-election could be issued at the commencement of a new Parliament until after fourteen days of the meeting of the House. If on the death of Lord Palmerston Earl Russell had not been able to form a Ministry, and Earl Derby had been called upon to form a Government, the consequence would have been that the Members of the Government could not have taken their seats in the House until three weeks after the meeting of Parliament, fourteen days being required to elapse before the writ could be moved to see whether petitions against their return would be presented. Last year, at the commencement of the first Session of the new Parliament, matters of great public interest came before the House—namely, the Cattle Plague and the Suspension of the Habeas Corpus Act in Ireland. What would then have been the result if the Members of Her Majesty's Government having seats in the House had been petitioned against and the seats prayed for? If therefore they balanced any supposed personal advantage under the present system against public convenience, private feeling should give way to the latter. That a seat was prayed for was no ground for preventing a dissolution of Parliament by Her Majesty's command; why, then, should it be a reason for preventing the issue of a new writ when it might be for the public advantage that a writ should be issued? The present practice was also liable to abuse. On that ground also it required to be altered. Any person wishing to keep a Minister out of his seat for the purpose of gratifying a malicious feeling, might, at the last moment, present a petition praying for the seat, and thereby keep a Minister out of his place in the House for some months. On the last day for presenting petitions at the beginning of the last Session, a Mr. Wellington Shegog presented a petition against the return of the right hon. Gentleman (Mr. Chichester Fortescue), then Chief Secretary for Ireland, on the ground of intimidation, and praying for the seat. Now, it appeared, according to a Return which he moved for, that from 1832 to 1866 not one person had been seated on petition on the ground of intimidation solely. The petition against the right hon. Gentleman was presented on the 20th February, and he was actually kept out of the House until the 12th of March, and might have been for a much longer period had not he (Sir Colman O'Loghlen) made a similar Motion to the one then before the House, when the petition was withdrawn. The petition against the return of Mr. Morris was presented on the same day, and was not disposed of until May, and if the petition against the right hon. Gentleman had been tried he would have been kept out of the House a similar lengthened period. That, too, during the discussion with reference to the Suspension of the Habeas Corpus Act and other questions of importance relative to Ireland, at a time when his presence was most required. The only ground upon which the present practice could be defended was some supposed interest the person might have in the seat he prayed for. But that was not to be considered for a moment in opposition to the public inconvenience it occasioned. He moved—

Mr. SPEAKER said, that by the rules of the House the hon. and learned Member could not then make a Motion, inasmuch as an Amendment had already been moved and negatived on the Question that the Speaker leave the Chair.

Colonel FRENCH said, that the hon. and learned Gentleman had made out no sufficient case for altering the rules of the House on the subject to which he had called attention. That which might turn out to be the property of one person ought not to be given to another. In the very rare event of Cabinet Ministers not being able to take their seats for a fortnight or three weeks as had been described, the Secretary to the Treasury or some of the subordinate officers of the Government who did not vacate their seats might very well discharge the necessary business in their absence.

THE CONVICTS BURTON AND HAY.

OBSERVATIONS.

Mr. GILPIN said, he had given notice of his intention to call the attention of the House to the sentence passed by Mr. Baron Bramwell, at the recent Kingston Assizes, upon two prisoners, Burton and Hay, aged twenty-three and twenty-nine, who were indicted before him for burglary, and sentenced to eight and ten years' penal servitude, respectively, and who having been removed from the bar by the police were ordered to be brought back by the Judge, who thereupon sentenced them each to a further term of five years' penal servitude. If, when on a recent occasion he had put a Question on the subject to the right hon. Gentleman (Mr. Walpole) he had been able to inform him that he was acquainted with the circumstances of the case, and that the learned Judge had not proceeded beyond the limits of his authority, he should have abstained from mentioning the matter a second time. It appeared from the accounts which had been given in the newspapers that the two prisoners named had immediately after sentence was pronounced upon them become exceedingly violent in the dock, and had used most outrageous language towards the Judge. From those accounts, not only he himself, but many others supposed that the additional sentence which had been passed upon them was a punishment for their insubordinate conduct in Court. He had since learnt from the right hon. Gentleman, however, that the penalty of five years' penal servitude had been inflicted as part of the original sentence, and that it was perfectly within the discretion of the Judge to impose that increased penalty. Under those circumstances, disclaiming all intention of unnecessarily impugning the sentence of a Court of Justice, or of making, directly or indirectly, a personal attack upon the learned Judge, than which nothing could be further from his views, he should not press the right hon. Gentleman for any further explanation on the subject.

Mr. CRAUFURD said, that as a member of the Home Circuit, and an intimate friend of Mr. Baron Bramwell's for many years, he could not allow the subject to drop without making a few observations. He was glad to find that his hon. Friend had withdrawn the Question, and so far had made the *amende honorable;* but he must say it was rather a hasty course of proceeding in giving notice of the Question. Such questions brought forward without sufficient inquiry and information of the facts had the effect of shaking the authority of the Judges of the land. [Mr. Gilpin: No, no!] Such was their practical effect; and therefore it was desirable that they should be very cautious before they called attention to judicial sentences in that House. There was not a more upright or humane Judge on the Bench than Mr. Baron Bramwell, and he would be the last man to be induced from a spirit of anger or ill-judged feeling to aggravate a sentence on a fellow-creature. Such insinuations were worse than direct charges. He, however, accepted the hon. Gentleman's disclaimer on behalf of Mr. Baron Bramwell and the profession generally.

SIR GEORGE BOWYER said, that nothing could be further from his intention than to make an attack on Mr. Baron Bramwell, and no one was more alive than he to the necessity of upholding the dignity of the judicial Bench, but he could not help thinking that the occurrence in question was unfortunate. The conduct of the prisoners had undoubtedly been most disgraceful, amounting as it did to a very gross contempt of Court. There was no doubt that it was open to the Judge in point of law to increase as he had done the punishment which was originally inflicted upon them. It was not the mere passing but the recording of the sentence which was the decisive act. At the same time it might, he was afraid, appear to the public that the Judge having felt himself insulted by the conduct of the prisoners had lost his temper, and sought to punish the insult offered to his dignity. He thought the incident unfortunate, for anything wearing the appearance of personal feeling on the part of a Judge had a tendency to impair the dignity of the Bench, though there might be no personal feeling in the matter.

CASE OF JOHN TOOMER.—MOTION FOR PAPERS.

SIR ROBERT COLLIER said, that it was with great reluctance that he felt compelled to call attention to an error and exceptional case in the administration of justice, by which he believed that an innocent man had sustained a grievous wrong. He quite acceded to the general proposition laid down the other night by the right hon. Gentleman (Mr. Walpole), that it was not desirable for that House to interfere with the ordinary course of the administration of justice and to erect itself into a tribunal of criminal appeals. But he was unable to subscribe in the full extent to the doctrine enounced by the right hon. Gentleman that the application for papers in this case was wholly unprecedented. The right hon. Gentleman admitted that the House was entitled to an explanation of the grounds on which he had acted; but questioned the right of the House to require the production of documents and papers, without which it would be difficult for the House to form a judgment as to whether the right hon. Gentleman's explanation was satisfactory or not. The House had over and over again obtained that information, the request for which was designated by the right hon. Gentleman to be unprecedented, had acted on it, and had addressed the Crown on the subject of the exercise of the prerogative of mercy. He would not dwell on the numerous instances in the reign of Charles II., in which the House had addressed the Crown to obtain the pardon of a criminal; but would refer to one or two precedents in modern times, for he should be sorry if the House supposed that he was leading it into a new and unconstitutional course. In 1814, Lord Ebrington, then a conspicuous Member of the House, moved an Address to the Crown praying for a revision of the sentence passed on Lord Cochrane. In that case the evidence of the trial and the Reports of the Judges were before the House. To show that that was the case, he would read some extracts from *Hansard*. The following passage was from the speech of the Solicitor General of that time:—

> "Having read and attentively examined the report of the trial, including the evidence, the address of counsel on both sides, and the Charge of the Judge, he should have felt himself bound, were he on the jury, to find Lord Cochrane guilty, were that noble Lord his own brother."—[1 *Hansard*, xxviii. 768.]

The Solicitor General then went through the whole of the evidence which had been laid on the table of the House; and the feeling being in favour of the Motion, the Government announced that that portion of the sentence inflicting the punishment of the pillory should not be put in force. In the case of Frost, Williams, and Jones a Motion for an Address to the Crown was made. It was true that the Motion was negatived; but there appeared in the list of the minority no less a name than that of the present Chancellor of the Exchequer (Mr. Disraeli). It was not to be supposed that the high authority of that right hon. Gentleman would have sanctioned an Address praying for mercy if such an Address had been unprecedented and unconstitutional. Upon that occasion Mr. Fox Maule, then Under Secretary for the Home Department, was reported in *Hansard* to have read to the House the letter of Chief Justice Tindal communicating to the Secretary of State the decision of the Judges on the point reserved; and the reply given by the three Judges who presided at the trial to the memorial presented to them by Sir Frederick Pollock and Mr. Kelly.—[3 *Hansard*, lii. 1140.]

In the case of Jessie M'Laughlan the whole of the evidence was laid on the table of the House. The right hon. Gentleman said that was a peculiar case, but only peculiar cases came before the House. In the case of Townley, no less a person than the present Lord Chief Baron, Sir FitzRoy Kelly, applied for papers, and put precisely the same question to the then Home Secretary as he (Sir Robert Collier) had put to the present Home Secretary. He thought that he had stated enough to show that there was no novelty in the application he had made the other night, though there might be some novelty in the position assumed by the right hon. Gentleman. It behoved the House to investigate the manner in which the tribunal of appeal in the Home Office was worked, not from idle curiosity, but with a view to practical legislation. If many cases occurred, such as this, which he believed to be a case of mistaken severity (and there had been other cases of, he believed, mistaken and disastrous leniency), it would be for the House to consider whether it could not devise some better tribunal of appeal. He would now call attention to the facts of the case which he desired to bring under the notice of the House. The right hon. Gentleman had been courteous enough to inform him that he would produce the memorial sent to the Home Office on behalf of Toomer; but that he did not think it consistent with his duty to produce the notes of the evidence given at the trial. That being so, he must refer to the best sources he could for the evidence, and if any portion of his statement should be incorrect, all he could say was that he had done his best to be accurate. He was at issue with the right hon. Gentleman *in limine*, for the right hon. Gentleman treated this matter as a question of conflicting evidence; whereas it appeared plain that, according to the evidence of the prosecutrix herself, there ought to have been no conviction. It appeared by that evidence that the prosecutrix having advertised for a situation as governess, Toomer engaged her to teach his daughter music, she having previously, at his request, sent him her photograph, which was approved. When she went to Toomer's house she found that she had been deceived, for there was no daughter or daughters in the house, though she had been led to expect the contrary. She, nevertheless, remained for weeks in the house, and on familiar terms with Toomer, who kissed her and asked her to marry him. The prosecutrix also stated that on one occasion Toomer dragged her through the passage into a back room, undressed her, put her in bed, remained with her all night, and finally effected his purpose. During the whole of the time she was unable to make any alarm, because Toomer prevented her, and, though there were servants in the house, none of them heard any cry. It further appeared that she remained in bed, and in the morning took her breakfast, Toomer going out as usual to his business. She said that she wrote home on that day, and gave the note to the servant to post; but the servant denied that she received any such note, and no such note arrived at the place stated. She said that Toomer came home in the evening, and as he expressed himself penitent she forgave him. On the next day, by her own account, she walked out with him, was on the most familiar terms with him, took tea with him, and remained in the house. Three or four days after she said she was sleeping alone (why she did not explain, for she had been in the habit of sleeping with a servant), and for some unexplained reason she left the door of her room open. During the whole of that night she said that Toomer remained with her, again effected his purpose, but that she was unable to give any alarm, and that at some time next day she made a complaint. He put it to those who were conversant with the administration of justice — to those accustomed to criminal trials—whether even if that evidence of the prosecutrix stood alone, any jury would have convicted. But the case did not stop there. Medical evidence was called in behalf of the prosecution, and it distinctly negatived the possibility of a rape. So strong was the opinion of the medical man called on the trial, that he wrote a letter to the editor of the *Berkshire Chronicle*, from which he would read an extract. He had been called for the prosecution, and if he had any bias it might be supposed to be on the side for which he was called. Mr. Maurice wrote—

> "After examining Miss Partridge I gave evidence before the magistrates that the result of the examination did not support the charge. Your medical readers will know that in consequence of certain rare and exceptional cases I was compelled to be thus guarded; but after Miss Partridge had sworn to prolonged resistance, I was enabled to affirm that the medical evidence disproved the charge."

The case did not stop there. He could not help thinking that the right hon. Gentleman, of course, unintentionally, had led the House into a misunderstanding when he referred to the evidence of the two maid-servants. These two maid-servants were called on the part of the prosecution; and what was their evidence? It was to this effect, that if a rape had been committed and the prosecutrix had called out, they must have heard it, because they were in the house; but they heard nothing. That the prosecutrix had not written to her mother, as she said she had. That on the night of the alleged second rape she had made some excuse for the purpose of sleeping alone. That she had requested the maid-servant who was in the habit of sleeping with her to sleep with her niece, and on the maid-servant drawing her attention to the fact that she had left her door open, she made some trifling excuse. She slept alone therefore that night by her own contrivance. It further appeared, on the part of the prosecution, that she said she expected £20 from Mr. Toomer. He did not pay her that sum, and afterwards she went and gave information. That was the case in substance for the prosecution. Under these circumstances the counsel for the defence, a very eminent and able counsel, his hon. and learned friend (Mr. Huddlestone), called no witnesses; and for this reason, it never entered into his imagination to conceive that there could be a verdict of guilty. And he (Sir Robert Collier) did not hesitate to say he was right. He should have done the same thing. The jury retired to deliberate. They came into Court, and said they could not agree. They again retired, and remained in deliberation five hours. Finally they found a verdict of guilty, but coupled with a recommendation to mercy on the ground that the girl had been indiscreet and had encouraged Toomer.

Mr. WALPOLE: The jury said there were extenuating circumstances. The Judge asked what were the extenuating circumstances, and the jury replied that the prosecutrix had been indiscreet?

Sir ROBERT COLLIER said, he thought that amounted to pretty much the same thing. The jury had been locked up five hours. He was not speaking against trial by jury; but he did not agree with the principle of keeping a jury in durance vile, and no doubt in this, as in many other cases, the verdict was the result of a compromise. They were hungry and anxious to get away, and a compromise took place under the idea that only a slight sentence would be passed. He could not help thinking that the verdict almost amounted to this—that Toomer had committed a rape with the girl's consent. The learned Judge passed a sentence of fifteen years' penal servitude—a sentence which, he understood, astonished everybody in court, astonished the counsel on both sides, and astonished the country. That was the case so far as he understood it; and he was bound to say that in the whole course of his experience—and it had not been short—of criminal trials he had never known a conviction for rape founded upon evidence like this. He had conversed with a number of lawyers in Westminster Hall and out of it, and he had not met one—not, indeed, one man who approved the verdict. The public were against it, the Press was against it, it was condemned by public opinion. No doubt his right hon. Friend wished to do justice; but he ventured to think that this was one of those cases in which the prerogative of mercy, vested in the Crown, exercised under the advice of the Secretary of State for the Home Department, ought to have been exercised. There had been many Motions made in that House to the effect that a court of criminal appeal ought to be established; but the usual answer was that we had already a court of criminal appeal in the Home Office, which performed the function of the Courts in granting a new trial. He quite appreciated the difficulties of the right hon. Gentleman's position, and he knew that only one motive actuated him which was to do his duty; but, in his humble opinion, this was a case in which it was the duty of the Home Secretary to set aside a verdict which was manifestly wrong. There were many cases in which it was extremely difficult to decide between conflicting evidence; but here there was no balance of conflicting testimony. The case was comparatively simple. On the evidence of the prosecutrix there could be no conviction for rape. The whole case for the prosecution had broken down. The verdict was wrong, and should have been set aside. A memorial had been presented to the right hon. Gentleman, stating very shortly the facts of the case, and laying before him affidavits of persons who would have been called as witnesses at the trial had counsel thought it necessary. The effect of their evidence was shortly this—

the next-door neighbours gave their evidence. It appeared that the room in which Toomer slept was separated by so thin a partition that what was said on the other side of the wall could be heard. That affidavit was sworn by a nurse who sat up with a sick person in the room adjoining. She said she could hear conversations which passed in Toomer's house, but on the night in question she heard nothing. That was the night during which the supposed rape took place. It was further shown that the girl had stated that she did not write home to her parents, though she swore that she did. It was shown that she had walked out with Toomer in the country, that she was seen with him, hanging on his arm, grasping both hands together, and playing with his whiskers, and all this between the occasion of the first and second rape. With respect to these affidavits, he did not attach very much weight to them, because the parties who made them might have been examined on the trial, and the affidavits did not contain their cross-examination. What he ventured to affirm was this, that on the case of the prosecution the man ought to have been acquitted. He would now call attention to the answer given by the right hon. Gentleman to the memorial. He stated that he could not advise a pardon to be granted to the prisoner, from the perusal of these documents, unless he was satisfied that the prosecutrix had committed wilful and corrupt perjury. He ventured to say, with all respect for the right hon. Gentleman, that he had misconceived the whole subject. The question was not whether he was bound, upon those affidavits, to determine whether the prosecutrix had committed perjury; but, putting aside those affidavits altogether, whether upon the evidence a just and proper verdict had been returned? There were many instances in which Home Secretaries had determined the question whether upon the case for the prosecution there ought to have been a conviction. If it was not to determine such a question, what was the use of the tribunal of the Home Office? But the right hon. Gentleman went on to say—

"Upon no other ground could he be justified in setting aside a verdict given after long deliberation, and entirely approved of by the learned Judge. It appeared to Mr. Walpole that it would be extremely unjust to form such an opinion upon statements which may without any difficulty be made in open court, subject to the test of cross-examination, and in the presence of the jury, who is to judge of the credit to which they are entitled. Mr. Toomer is bound, in the judgment of Mr. Walpole, to indict Miss Partridge for perjury, upon his own evidence and that of the different persons who now make declarations in his favour, but were not brought forward upon his trial. Unless Mr. Toomer pursues this course, he cannot reasonably expect the Crown to interfere with the decision which has already been pronounced in his case by a competent tribunal."

He wished to say a few words upon the two grounds put forward by the right hon. Gentleman for refusing to interpose in the case. The first ground was that the learned Judge (Mr. Justice Shee) approved the verdict. He desired to speak with the utmost respect of that learned Judge; and he quite admitted that the opinion of the Judge who tried the case must, and ought to, have weight with the Home Secretary. But he altogether denied that the opinion of the Judge was to be taken as conclusive; for if the Home Secretary was bound to act upon the opinion of the Judge, what became of his appellate functions? It came to this, that they substituted the Judge for the Home Secretary. But the Home Secretary was the Constitutional adviser of the Crown in respect to the exercise of the prerogative of mercy; and his responsibility could not be thrown upon the Judge. It was the duty of the Home Secretary to form his own opinion, giving the weight which was due, but not more than was due, to the opinion of the Judge; and if he saw that, on a review of the whole case, the conviction was wrong, he was bound to disagree with that learned person. Unless, therefore, he was much mistaken in his reading of the facts, he could not help thinking that that was one of those cases in which the Home Secretary was bound to exercise his discretion, and on a review of the whole case, to come to a conclusion different from that of the learned Judge. But, in the next place, the right hon. Gentleman stated that Mr. Toomer ought to indict Miss Partridge for perjury. That was throwing on Mr. Toomer an unreasonable obligation. What would be the result of a prosecution against Miss Partridge for perjury? He appealed to any man having experience of the criminal courts whether such a prosecution was at all likely to be successful. Toomer had no doubt behaved badly; and he would come before the jury with a certain prejudice against him as a man of loose morals. There would be no prepossession in favour of a man—an ironmonger's assistant. Would it not have been suggested by counsel that Miss Partridge had not stated what was wilfully false; that, at the worst, she had only exaggerated; that she had resisted, but had not resisted quite so much as she had stated; that she had not surrendered her virtue at the first attack, but had only capitulated after a certain amount of resistance; and that therefore it could not be said she had committed perjury. That assuredly would have been the line of defence adopted; and no one could doubt that she would have been acquitted. What, then, would have been the position of Mr. Toomer? His case would have been hopeless, and he would have had no chance of the remission of any portion of his sentence. Mr. Toomer therefore exercised a wise discretion in not taking that course. It therefore appeared to be a case peculiarly calling for the intervention of the Home Office; and it seemed to him that the grounds on which that intervention had been withheld were altogether untenable. He would venture to express a hope that, in deference to what he believed to be the public opinion and the opinion of the House, the right hon. Gentleman would give them the assurance that he would now, on re-consideration, advise the Crown to exercise the prerogative of mercy in the case. He was sure that such a statement would be received with great satisfaction by both sides of the House. If some assurance of that kind were not held out, it might become his duty on a subsequent occasion to take the opinion of the House on that subject. But he did not desire to follow that course; and he trusted that what he had now said would have the effect of eliciting from the right hon. Gentleman some explanation which might be satisfactory to the House.

MR. WALPOLE: Sir, there is one observation which I wish to offer before I enter upon the remarks just made by the hon. and learned Gentleman opposite, and it is this, that whatever may be the responsibility of adjudicating upon a case like this, that responsibility rests exclusively with myself. The hon. and learned Gentleman need not have adverted to the fact that the Judge had given an opinion in confirmation of the verdict pronounced by the jury, as if he thought that I was going to shelter myself behind the opinion of the Judge. At the same time, I must observe, from all the experience I have had of what has taken place at the Home Office, that it is the duty of the Home Secretary to hear what the Judge has to say upon the case, and to give great attention to his opinion upon it. In fact, he is the person who can give a better opinion than anybody else as to what were the impressions left upon his mind at the time by the evidence adduced, and by the conduct and demeanour of the witnesses, and also as to what are the impressions still remaining on his mind when he has seen any subsequent declarations. The hon. and learned Gentleman has gone into a very long disquisition upon the facts of this case; but he will forgive me for saying that I do not think it would become me to enter into his argument at any great length. The position which I have to take up, the position which I think I am bound to take up with reference to such a case as this, is one of neutrality and impartiality. I might traverse a vast number of the facts which the hon. and learned Gentleman has stated to the House. I might point out how he has collected together and put forward all the facts bearing upon one side of the case, as counsel would do in addressing a jury, without adverting to a single fact which weighs materially on the other side. I might point out that when he referred to the first assault, which was made upon the prosecutrix on the Wednesday preceding the Sunday, he entirely omitted all allusion to the struggles which took place, all allusion to the prisoner's producing a revolver and threatening in effect that her life might be in danger if she did not yield to him. I might advert to the night when the distinct crime was committed with which he was charged, and to the fact that the reason why she did not cry out was because the way in which he was alleged to have treated her, made it impossible for her to do so. I might still further refer to the circumstance—which the hon. and learned Gentleman wholly omitted—of her going to her room at night with the full belief that the maid-servant was to sleep with her, as she had done before, and of her being asleep in the room when Toomer came in and took her by surprise, and subjected her to these assaults. I should not have even alluded to these facts except for the purpose of showing that there may be two sides to a case, and that the opinion arrived at by the hon. and learned Gentleman was not inevitable. And here I may observe that I have never given any opinion upon this case, except to my able Under Secretary. I knew that it might be brought before me in every kind of form. I should have to consider whether, under all the circumstances, although the prisoner had been found guilty by a jury which had been approved by the Judge, and there would be no possibility of a re-hearing or cross-examination of witnesses, it was my duty to recommend the Crown to exercise its prerogative of mercy. It is said that this man is entirely innocent. But, at all events, he has been convicted by a proper and competent tribunal. The Home Office never is, and never was, a Court of Appeal—that is to say, it is not a tribunal appointed to re-hear cases of this kind. If the Home Office were to attempt to exercise such a jurisdiction, and were to re-hear cases depending upon the testimony of witnesses, without the possibility of judging how far that evidence was to be depended upon, the course of justice in this country would be greatly interfered with. Do not let it be supposed that I think that the Home Secretary has not a very large power vested in him of advising the Crown to exercise its prerogative of mercy. I think there is such a power vested in him, not for the purpose of re-hearing a case which can only be properly re-heard before a Judge and jury, but for the purpose of taking into consideration not only the facts proved at the trial, but any other facts and circumstances that may be brought to light subsequently, of weighing them, and of determining whether, under all the circumstances, it is his duty to recommend the Crown to exercise its prerogative of mercy, and to mitigate the severity of the punishment. In no case, however, should he interfere against the decision both of Judge and jury, unless the case is so plain as to leave no reasonable doubt on the mind of any intelligent man that a great injustice had been done. There was one case which was very similar to the one now under discussion. I refer to the case of Mr. Hatch, a clergyman, who was accused of an assault upon two young girls. Mr. Hatch was charged with that assault, he was tried, and convicted, and his case then came before the Home Secretary. The representations made to the Home Secretary in that case were as strong as those which have been made in the present instance; but in that case the Judge himself had great doubts about the justice of the verdict. Affidavits were made and were presented to the Home Secretary, and what action did the then Home Secretary, Sir George Lewis, take upon these representations? The identical course that I have taken the liberty of following. He pointed out to Mr. Hatch that he ought to indict the persons upon whose evidence he had been convicted of perjury. He said, "Either you must convict these persons of deliberate perjury, or the sentence must stand." What was the result? Mr. Hatch indicted the persons for perjury, the verdict was in his favour, and he received—as most undoubtedly he ought to have done—a free pardon. The hon. and learned Gentleman says that there are reasons which prevent Toomer from coming into court to prosecute the person upon whose evidence he has been convicted. I will not go into that question; but I say that if Toomer is an innocent man he need not be afraid to go into a Court of Justice. Had he gone into court as soon as the opportunity was afforded him the case would have been tried, and by this time the question would have been settled. He declined to go into court. He has never indicted the prosecutrix for perjury. And not only has he not done this, but he has never by himself, or by his friends, or solicitor, made a single application to the Home Office to have his case practically—though, of course, it would not be formally—re-heard. Sir, every person who knows the practice of the Home Office knows perfectly well that such cases as these are heard and re-heard over and over again; and therefore I am unable to understand why that course has not been adopted in the present case. I ask the House what course, under these circumstances, was the wisest for me to pursue? There were two points raised in this case for my consideration—the question of guilt or innocence, and the question of excessive punishment. The first question has been determined by a jury under the direction of a Judge, and the case could not possibly be formally re-heard unless there were some kind of tribunal to re-hear and determine the case afresh. The second point, the question of excessive punishment, has never been brought before me. In reply to the hon. and learned Gentleman I have to say that I have carefully avoided forming a judgment upon this case in any way as regards the guilt or innocence of Toomer; but I may add that this very evening an hon. Friend of mine now in the House asked me whether I was prepared to receive a memorial from the friends of Toomer, praying that the case might be re-considered in order that the punishment might be mitigated. I replied, as I have stated to many hon. Members during the present Session, that if such a memorial came before me it should have my best consideration. I have no bias in the matter. I have no desire whatever that any undue punishment should be inflicted upon Toomer. I cannot disguise from myself that the opinion of the Press and the opinion of the country—perhaps generally, although upon that point I could say a few words—is against Toomer's conviction, or, at all events, is against the extreme punishment to which he has been sentenced. Perhaps upon this point I shall not transgress my duty by saying that from the very beginning I thought the punishment to which Toomer was sentenced was so severe that it ought not to stand. I never had the slightest hesitation upon that point; but that question has never been brought before me. The reason why I thought that the punishment ought not to stand was, because I felt that the jury's recommendation to mercy, founded probably upon some indiscretion of the prosecutrix, should have been attended to. The case has been a very painful one to me; and all I can say is that whenever it is brought before me in a proper shape, I shall be ready to endeavour to exercise the best judgment I can upon the matter. And now one word as to another Question which has been put to me this evening. I could not, in consequence of the forms of the House, answer the Question put to me by the hon. Member for Northampton (Mr. Gilpin) when he made the inquiry; but I may now state, with regard to the case tried before Mr. Baron Bramwell, that that learned Judge did not only not exceed his duty, but he did that which every honourable and upright Judge would have done under the circumstances. The law of the case is perfectly clear. Until the record is made up, which is not until the end of the assizes, the sentence may be either mitigated or increased, according to the circumstance that may arise. In the case alluded to, the conduct of the prisoners after sentence was passed upon them was of such a ferocious and murderous character, and indicated such depraved dispositions, that had the occurrence taken place before the sentence was passed, the Judge would have doubtless sentenced them to as severe a punishment as he afterwards did. I believe that the Judge was perfectly justified in all that he did; and I can only conclude by saying that a more able, upright, and honourable Judge than Mr. Baron Bramwell does not sit upon the Bench.

Mr. CLIVE said, there was a difference between the case of Toomer and that of Hatch. In the latter a conviction for perjury was possible; in Toomer's case it was out of the question. The evidence depended altogether upon the statement of the woman herself; and there was not only no corroboration of her evidence, but every circumstance was opposed to the truth of her statement. He was glad that the right hon. Gentleman was willing to receive a deputation; but Toomer's friends looked upon it as a question of guilt or innocence. They denied the guilt, but not the immorality. He never could understand which was the most marvellous, the conduct of the jury who convicted the prisoner, the Judge who sentenced him, or the Home Secretary who did not take the first opportunity to interpose. He could only express a hope that the right hon. Gentleman would go to the Home Office to-morrow with the determination to read the whole of the evidence over again. When he had done so, he was satisfied that the right hon. Gentleman would find it to be a case either for the entire remission of the sentence or the infliction of a merely nominal punishment.

Sir FRANCIS GOLDSMID said, that as he represented the town of which Toomer was an inhabitant, he was anxious to explain that the reason why there had been no deputation to the Home Secretary from Reading was, that there was a considerable difference of opinion as to the question of the convict's guilt. There was no difference of opinion whatever as to the propriety of remitting part of the sentence, but Toomer claimed to be altogether absolved. No further light could be thrown upon the case by indicting the woman for perjury. The opinion of the town was that the disproportion of the offence to the punishment was absolutely monstrous. The rape—if rape there were—was reduced to the very minimum to which an offence could be diminished. The woman was evidently one of those who—

"Of her long resistance half repented,
And, saying she would ne'er consent, consented."

He trusted that the result of the further consideration which the right hon. Gentleman would give the case would be that, if he did not advise the Crown to remit the sentence altogether, he would inflict only a nominal punishment.

Mr. NEATE said, he had been in communication with the family and friends of the convict, and they considered him strictly entitled to an acquittal. In that feeling he entirely concurred. They were willing, however, to accept a remission of part of the punishment. As the question had been raised, he must express his most decided opinion that a more atrocious or absurd verdict was never given, or one which more called for the immediate interposition of the Home Secretary to set aside. If there had been more than one such verdict under the same Judge, he should maintain that there never was a case which more called for the constitutional interposition of the House to pronounce that a Judge who had encouraged—who had more than encouraged, who had compelled that verdict—was disentitled, by his manifest and notorious incapacity, to exercise his functions as a Judge. ["Oh, oh!"] That was his opinion, and he believed it was the almost universal opinion of the Bar and of the country. ["Oh!"] It was the opinion of every man to whom he had spoken on the subject. However, he did not wish to insist on this. The right hon. Gentleman wished to screen the office of Judge from the contempt and disrespect which might arise from cases of this kind. So far as he was entitled to represent the feelings of Toomer's family, they were willing to leave the case to the justice and humanity of the Home Secretary.

Mr. OTWAY said, that unlike his hon. Friend (Sir Francis Goldsmid) who represented Mr. Toomer, or his hon. Friend (Mr. Neate) who represented the prisoner's family, he represented no one in this matter. A most extraordinary doctrine had been enunciated by the Home Secretary. The right hon. Gentleman said he had been of opinion from the very beginning that the sentence awarded to Toomer was excessive, and that it was one which ought never to have been passed upon him, yet he had told the House that he took no steps to mitigate it, because no memorial had been presented to him.

Mr. WALPOLE said, the only question brought before him was one of free pardon to Toomer, and not one of mitigation.

Mr. OTWAY said, he wanted to know whether that was not special pleading on the part of the right hon. Gentleman? What were the appellate functions of the Home Secretary? Toomer's case was in all the newspapers; everybody was talking about it; and was the Home Secretary to be the only person in the country who was to ignore the case? He thought it was the duty of the Secretary of State to take cognizance of such cases. If he had a sufficient cognizance of this case to justify him in forming an opinion from the beginning that the punishment was excessive, he ought to have taken some steps to mitigate that punishment, and not to wait until some formal memorial was presented to him. He would ask, supposing the right hon. Gentleman to occupy his present office for the next fourteen years, whether this unfortunate man would remain in prison until that time, unless the right hon. Gentleman in the meanwhile received a formal memorial? Such opinions showed, he was almost inclined to say, such an absolute incapacity for understanding the duties attached to the office of Home Secretary, that he was astonished to hear such a doctrine enunciated in that House.

Mr. DENMAN said, he could not permit the observation of the hon. and learned Member for Oxford (Mr. Neate) to pass without notice. There was no Member of the Bench for whom the whole Bar entertained a higher respect or a more affectionate regard as a man of justice and humanity than the learned Judge who tried this case. Even if there had been a miscarriage of justice in this case, he was at a loss to understand how such remarks could have been uttered by a member of the same profession as that to which the learned Judge himself belonged. Judging from the newspaper reports, there appeared to have been good ground for leaving the question to the jury. And when the jury had convicted the prisoner, there were circumstances in the case which fully warranted a sentence of great severity. The man had inserted the most artful advertisements in the newspapers. [Sir Robert Collier: The advertisement emanated from the prosecutrix.] Well, she had advertised; and he replied and offered her the situation of governess to his children. It must be assumed that the jury believed her story in finding him guilty of rape; and the learned Judge, in passing sentence, could not but take into consideration the fact that Toomer had taken the young lady as a governess for his children into his house upon the implied understanding that he would treat her as a lady, and abstain from any kind of improper conduct. If therefore it was a rape at all, it was a bad case; and the learned Judge might well feel that it was one deserving a heavy sentence. He might himself, perhaps, think that the sentence was somewhat severe; but still, what the Home Secretary was asked to do was to release Toomer before even nine months of his sentence had expired—a course which would be exhibiting as great a lenity as the non-remission of any part of the sentence would be a severity. The Home Secretary was under no necessity to consider the question of remitting the sentence until the time came when he might consider that Toomer had undergone sufficient imprisonment. The manner in which this case had been brought forward had shown a departure from the course usually adopted on such occasions. He did not believe that it was the duty of the Home Secretary to constitute himself a court of appeal, to all intents and purposes, against the sentences of Courts of Justice. If a Home Secretary felt convinced that he could conscientiously reverse, without hearing the evidence or observing the demeanour of witnesses, the verdict of a jury and the opinion of a Judge, he was, of course, justified in overruling the decision. But he apprehended that it was no part of the duty of a Home Secretary from the perusal of newspaper reports or even of a Judge's notes to place himself in that position. It would be a dangerous doctrine to lay down that on all occasions when the verdict of a jury was distasteful to some persons in the country or in the House, it was the duty of the Home Secretary to act as a court of appeal, and revise that verdict upon written documents to suit the current of popular feeling. After the explanation of the Home Secretary, he saw no reason to suppose that the right hon. Gentleman had departed from his duty. The right hon. Gentleman had told them fairly what had passed in his mind respecting the severity of the sentence; and he trusted that, after a certain period of time, the right hon. Gentleman would feel it consistent with his duty to recommend the clemency of the Crown to be extended. He must confess that he believed with his hon. and learned Friend (Sir Robert Collier) that an indictment for perjury would not lead to a settlement of the case, because he thought no light would thereby be thrown upon Toomer's guilt or innocence. The woman's mouth being shut every presumption would be raised in her favour; and, whether guilty or innocent, she would be acquitted almost as a matter of course. He thought, however, the case might be left safely in the hands of the Home Secretary.

THE SOLICITOR GENERAL: I thought, Sir, this debate could hardly come to a conclusion without some hon. Gentleman on the opposite Benches rising to vindicate the learned Judge from the cruel attack of the hon. and learned Member for Oxford (Mr. Neate). As the hon. and learned Member appears for so long a time to have been in communication with Mr. Toomer's friends, I should have thought that he would have taken some other means of bringing into question the conduct of the learned Judge. The hon. and learned Gentleman has taken no such course; and now, sitting here in judgment on the conduct of the learned Judge, he says that his decision was a disgrace to the system of administration of justice in this country. [Mr. NEATE: What I said was that such a decision might justify the interference of the House.] I should, at all events, have thought that the hon. and learned Member would have adopted some other method of raising the question of the learned Judge's conduct instead of attacking him in this House, where he can offer no explanation or defence. I will, however, pass that by, and proceed to make a few observations upon what has fallen from my hon. and learned Friend (Sir Robert Collier). The question, as I apprehend it, is, was the Home Secretary wrong in not pardoning Toomer at the time the application was made for his pardon? Now, this offence charged against Toomer was deliberately sworn to. But my hon. and learned Friend suggests that the jury were hungered down, and were thus induced to return a verdict against the prisoner, which is by no means probable. The hon. and learned Member for Oxford, who appears to have almost confined his conversation on this subject to Toomer's family and friends, says that he has heard nothing but disapproval of the verdict and the sentence; but the hon. Member for Reading (Sir Francis Goldsmid) states that he has met with expressions of approval as well as of disapproval. You have the verdict of the jury and the opinion of the learned Judge who heard the whole of the evidence—not merely so much of it as my hon. and learned Friend has laid before the House to-night. The learned Judge, upon the calmest reconsideration of the evidence, states his belief that the verdict is a justifiable one, and that it is one from which he cannot dissent. What course was the Home Secretary to take under these circumstances? My hon. and learned Friend says that the Home Secretary may listen to the opinion of the Judge; but that he is not to be guided by that opinion. So that, although the Judge is convinced of the justice of the verdict, the Home Secretary is to take upon himself to say that that verdict is wrong; he is to set it aside, and to act upon his own opinion. That, I think, would be a very dangerous doctrine. My hon. and learned Friend might have told the House, what perhaps legal Members only are aware of, that when a case which has been tried at *Nisi Prius,* and a motion is made to disturb the verdict, if the learned Judge who tried the case assures the four Judges before whom it comes afresh that he is not dissatisfied with the verdict, it is allowed to stand, although the evidence may appear to preponderate against the decision of the jury. But my hon. and learned Friend says, notwithstanding the verdict of the jury and the opinion of the learned Judge, that the Home Secretary should take upon himself to say, "I think this a case in which no crime has been committed, and I at once recommend Her Majesty to exercise mercy and order the immediate release of the man." The suggestion made by the Home Secretary was a very fair one. It was open to the friends of Toomer to prosecute his accuser on the charge of perjury; and it is no answer to that suggestion to say that it would have been impossible to obtain a conviction. I pass by the question of possibility of conviction and offer another more important consideration. It is perfectly clear that from the time the Home Secretary suggested the prosecution of Toomer's accuser on the charge of perjury no answer has been made to the suggestion, nor has any mention been made of the difficulties in Toomer's way as a prosecutor on that charge, nor, indeed, has any further application been made to the Home Secretary in the case. The first position taken up by Toomer and his friends was that he was not guilty. The Home Secretary says in reply that he cannot act on that assertion; and I think he was right. If you can prove Toomer not guilty, do so; but, while the jury's verdict stands, and the Judge himself thinks the conviction can well be supported, I think the Home Secretary would have exceeded his duty if he had set all that aside, and had advised Her Majesty to grant a pardon. The question of a modification of a severe sentence is a very different one, and such as may be properly entertained. I cannot help thinking that when the facts are brought before him, the Home Secretary will find ample ground for considering whether a portion of the sentence may not be remitted. With respect to the sentence of Mr. Baron Bramwell at Kingston, I think the remarks made upon it to-night have arisen from a misapprehension of the facts. The hon. Baronet (Sir George Bowyer) suggested that the increase of punishment awarded in the case was possibly ascribable to a personal feeling on the part of the Judge with reference to the conduct of the prisoners. If he will look at the reports of the case, he will find that it was nothing of the sort. The men made a murderous attack on the Governor of the prison, and the learned Judge told the prisoners that it was not because of any abuse of him or of their violence in the dock, but because he saw from their manner that they were men of cruel and fierce dispositions, that he passed a severe sentence.

SIR FRANCIS GOLDSMID said, that what he had stated was that there was a difference of opinion among the inhabitants of Reading in the Toomer case.

MR. SULLIVAN said, he questioned the allegation of the Solicitor General that if Toomer's case could have come before the Judges *in banco* they would have adopted the opinion of the Judge who tried him, and have confirmed the verdict. He desired nothing more than that the case should be considered as if it were a civil action, for if a verdict in a civil action were against evidence it would be set aside by the Judges *in banco,* even though they had to override the opinion of their colleague who tried it. He was a stranger to this case, except that he had read in Ireland a report of the trial, and when he did so it struck him, as it had other lawyers, that the verdict was bad, and ought to be condemned. The circumstances showed that the sentence could not be supported, but must be reformed. The Solicitor General had asserted that a rape had been sworn against Toomer on the trial; but he (Mr. Sullivan) denied that. There was a line between what was and what was not rape. If a woman committed an indiscretion, it could not be rape, and in this case the jury said that the prosecutrix had been guilty of indiscretion. This was a case where the dispute was not about the facts, but about the intention, and therefore no prosecution could be instituted. In Hatch's case the simple question was whether the witnesses for the prosecution were truthful, because, if so, the charge was indubitably proved; but here the evidence for the Crown was consistent with there having being no rape at all, and this would be Miss Partridge's defence if she were prosecuted. He thought the Home Secretary had approached the question that night in a very fair spirit, and he hoped that the right hon. Gentleman in mitigating the sentence would substantially reverse it. He would thus take from the administration of the law one of the severest reproaches it had ever incurred.

Mr. BAGGALLAY said, that he might be disposed to come to the conclusion that though Toomer was technically guilty the sentence pronounced upon him was more severe than necessary; but he must remind the House that there was another person besides Toomer who might be said to be now on her trial, and that was the unfortunate prosecutrix. If the right hon. Gentleman were to consent to the appeal now made to him, and at once to grant a free pardon to Toomer, how could he do that without branding Miss Partridge as a harlot and a perjurer, though she had undergone the ordeal of a public trial and been subjected to cross-examination. He put it to the House whether that would be either fair or just. He had listened with great attention to the argument of the hon. and learned Gentleman (Mr. Sullivan), who said he wished to treat this question as substantially a new trial. But his right hon. Friend had taken that very course of obtaining for him a new trial when he gave him an opportunity of instituting a trial for perjury. It was objected to this that there was a probability the prosecution would not be successful. That might be so; but if it were not, still his right hon. Friend would have another opportunity of knowing the demeanour of Toomer and the other witnesses on both sides when they were brought into court and subjected to cross-examination. He thought the course which his right hon. Friend proposed was the only real test of the truth.

Mr. THOMAS CHAMBERS said, his hon. and learned Friend was an eminent member of the Equity Bar; but it was evident he had been too busily engaged in his own courts ever to set his foot inside a criminal court, for he was entirely unacquainted with their mode of procedure. There could be no prosecution for perjury instituted in this case, because there was no dispute as to the facts. All that the prosecutrix had sworn might be true; but the crime did not consist in the facts, in the mere thing done, but in its being done in spite of the most resolute opposition and by the forcible overpowering of that opposition. He submitted to the right hon. Gentleman (Mr. Walpole), whose intense anxiety to do right was admitted on all sides, that there had been in this case a miscarriage of justice; because, when the jury found the prisoner guilty, but recommended him to mercy on the ground that the prosecutrix had been indiscreet, there was an obvious attempt to make a compromise between guilt and innocence where no such compromise was possible. The question whether the act was committed against the will of the prosecutrix was eminently one for the jury to determine; but the verdict was not justified by the evidence. The counsel for the prisoner exercised a wise discretion in not calling witnesses, for he was entitled to argue that upon the evidence for the Crown the balance of probability even was against the commission of a rape, and that there was therefore no case for a conviction. There was no technicality involved; the whole point at issue was whether what was done was done, not in the face of modesty, reluctance, and some kind of resistance, but whether it was done forcibly, feloniously, and against the final will of the party complaining. That forcible connection was rape, and nothing else was. The difference between Toomer's case and that of Hatch was, that in the latter case it was possible to prove that what the girls alleged to have occurred could not have taken place at the times and places and under the circumstances to which they swore; but not so in the present case, where nothing was in issue but the force. He did not complain of the sentence on the supposition that the verdict had been justified by the facts, for then it would, no doubt, have been a very aggravated case, and one calling for severe punishment, for the prosecutrix was under the prisoner's roof in an honourable capacity, and entitled to his respect and protection; and criminal violence under such circumstances would have been more than ordinarily atrocious, and deserving of more than ordinary punishment.

The ATTORNEY GENERAL said, he must remind the House that they were pursuing an argument that was utterly irrelevant, and one that could lead to no useful end, inasmuch as there were no papers on the table of the House. Some hon. Gentlemen had read the trial in the newspapers;

others, including himself, had not done so, and they had no means of judging of the guilt or innocence of Toomer. But the facts of the case, as admitted in the discussion, appeared to be these—Toomer had a fair trial in open court, before a jury of his countrymen ; was convicted to the satisfaction of the learned Judge who tried him, and received a heavy sentence. There must have been something in the demeanour of the witnesses, and the manner in which their evidence was given, to impress the learned Judge. Without discrediting anything which his hon. and learned Friend (Sir Robert Collier) asserted of his own knowledge, he certainly could not accept as accurate the narrative which he had given, from the report of others, of what occurred in court. It was irreconcilable with the sentence.

SIR ROBERT COLLIER said, that in absence of the best evidence he had procured the best within his power.

THE ATTORNEY GENERAL said, he was not able to follow in the wake of his hon. and learned Friend. Even if he had enjoyed the opportunity of reading the newspapers on this subject, he should not have taken upon himself to represent to the House that what he had there seen amounted to a narrative of facts. It had been admitted, after all that had taken place, and after the public mind had been excited by discussion, that opinion in the town of Reading was even now divided upon the point. The conduct of his right hon. Friend (Mr. Walpole) accordingly was entirely vindicated. Had he yielded to the prayer urged upon him in the first instance, to declare the innocence of Toomer, and entirely to remit the sentence, he would have been guilty of neglect of duty. At the same time, the matter was one in which the right hon. Gentleman would be justified in giving, as he had promised to give, his careful consideration to the question of the propriety of mitigating the severity of the sentence. It should be borne in mind that while it was important that the Secretary of State should not neglect the duty of advising the Crown in the exercise of the prerogative of mercy vested in the Crown, it was not less important that he should vindicate the law, and uphold, instead of treating as nullities, the verdicts of juries, and the decisions of Judges. To say that the Secretary of State for the Home Department was to be considered for all purposes, and to all intents, an appellate tribunal in every case in which discussions might be raised as to the guilt or innocence of a prisoner, was to introduce a most dangerous doctrine. Nothing more calculated to bring into disrespect the administration of justice could be imagined than the creation of such an appellate jurisdiction without a single incident essential to the due administration of such functions. No doubt, it was of great importance that the Royal prerogative of mercy should exist and be administered with judgment and moderation ; but it was of equal importance that the interests of justice should be upheld. A year or nine months had elapsed without any application being made for a modification of the sentence. At first, Mr. Toomer and his friends would accept nothing less than a declaration of innocence. His right hon. Friend had expressed his entire willingness to receive and consider any application which might be made to him ; but it certainly was not for his right hon. Friend to review and to reverse the whole of the previous solemn proceedings. Had he taken upon himself to adopt any such line of action under the circumstances of this case, he would have committed a mistake greater than any which had yet been imputed to him.

SIR ROBERT COLLIER said, he wished to explain. His hon. Friends the Attorney General and the Solicitor General appeared to have understood him as saying that the Secretary for the Home Department ought to disregard the opinion of the Judge. But he had never intended to make any such statement. On the contrary, he had expressed his belief that the opinion of the Judge ought to have great weight in such cases, while it ought not to be considered conclusive.

MR. REARDEN said, that the circumstances of the present inquiry afforded the strongest proof of the necessity for establishing a court of appeal before the close of the Session.

MR. MONTAGU CHAMBERS said, he thought the House of Commons was going beyond its province in re-trying a case which had been already heard before a Judge and jury. He submitted that was not one of their functions. They had not the proper materials on which to found their judgment, but merely newspaper reports. His hon. and learned Friend (Mr. Baggallay) had truly remarked that they were not merely trying Toomer, but also Miss Partridge, who had gone before a jury and subjected herself to a rigid cross-examination, after which the jury convicted the man whom she accused. The re-trying the case really meant that the House questioned the rectitude of trial by jury, and the propriety of decisions of juries when they were contrary to the notions of hon. Gentlemen. They had been trying this unfortunate woman, and saying that she was guilty of perjury. ["No, no!"] Hon. Members might cry out "No, no!" if they pleased; but, in point of fact, the House had been trying this woman in her absence and making the most severe animadversions upon her. He repeated his opinion that the House had gone a little beyond its province in discussing the propriety of granting a new trial in this case. If they were to act as a court of appeal from the decisions of the Secretary of State in cases of that description their labours would be interminable, and they could have no certainty that they would be enabled properly to discharge that new duty.

Mr. LOWTHER said, there was one portion of the reply of the Secretary of State which appeared to him to require some remark. The right hon. Gentleman had drawn attention to the precedent of the case of Hatch. Now, if the right hon. Gentleman were in search of a precedent to guide him in the course to be pursued in regard to Toomer, another case of more recent date might be taken—namely, the conviction for rape last year at Derby, which was tried by the same Judge, and by him referred to the right hon. Gentleman for consideration. The right hon. Gentleman, in his answer to Toomer's memorial, stated, as a reason why he could not reverse the sentence, that he could not take upon himself to say that the prosecutrix had been guilty of perjury. Now, such being the case, he wished to ask the right hon. Gentleman to inform the House, how he was able to acquit the prisoners convicted at Derby?

Mr. WALPOLE said, no notice had been given to him of the intention of the hon. Gentleman to bring the case just referred to under the attention of the House. He must say he thought it was somewhat unfair for the hon. Gentleman to bring any charge against him with reference to his decision in that case, because the hon. Gentleman must be perfectly aware that every one of these cases turned upon its own special circumstances. The special circumstances in the case at Derby were totally different from those surrounding the case of Toomer, and he thought it was not right of the hon. Gentleman to bring forward the matter in the way he had done.

Mr. LOWTHER said, he had in the course of the evening called the right hon. Gentleman's attention to the case in question.

Mr. WALPOLE said, that just as he was going out of the House the hon. Gentleman had mentioned the matter to him.

Mr. KNATCHBULL-HUGESSEN said, he thought the case ought not to be discussed any further. He protested against the doctrine laid down by some hon. Members that the House was exceeding its province in dealing with questions of that description. He hoped that whenever there might exist what could fairly be regarded as a grievance the House would not refuse to take it into its consideration. Every one who knew what these cases were must be aware that a discretionary power of dealing with them must be left to the Home Secretary. It was impossible to judge of such cases without full and correct information; and as he himself had not the minutes of evidence before him, he felt precluded from going into the merits of the question. He felt assured that the result of this discussion would be to entirely clear the right hon. Gentleman the Secretary of State from any imputation of having acted otherwise than with a sincere desire to do impartial justice. If, however, the right hon. Gentleman should now think fit to mitigate the sentence, he would be acting in a manner which could reflect no discredit whatever upon him.

COMPENSATION TO OWNERS OF SLAUGHTERED CATTLE.

QUESTION.

Mr. FORDYCE: Sir, the Question to which I have to call the attention of the House is one of great importance, not only to my own constituency, but to several others who happen to be placed in a similar position. I have to ask the Vice President of the Council, On what grounds it has been decided to exclude Aberdeenshire from participation in the Grant of £35,000, voted by this House, for the purpose of compensating the Owners of Cattle slaughtered under compulsory Orders in Council? It will be in the recollection of the House that during the cattle plague in this country in 1865, an Order was issued by the Privy Council, according to which owners of cattle affected by rinderpest were obliged to kill and bury them without compensation. That Order in Council continued in force from August, 1865, until the middle of November in the same year. In consequence of that Order a great number of cattle, both in England and Scotland, were slaughtered. Of course, the Order was very unpopular at the time. To apply the case to Aberdeenshire—it will be in the recollection of the House that in the course of the present Session a Vote of £35,000 was granted to compensate owners of cattle which had been slaughtered in accordance with this Order in Council. During the whole period of the operation of that Order, the people of Aberdeenshire had acted on the principle which has been sanctioned by the House. Owners of cattle, occupiers of farms, and the landlords in that county, had met together and agreed to form an association for the purpose of assessing themselves voluntarily, to compensate for the slaughter of their cattle. That was the main feature of the society which had been formed in Aberdeenshire — a principle which was carried out in such a way as commended it to the gratitude and imitation of the whole country. In the course of the present Session, Parliament resolved to compensate owners of cattle slaughtered under the compulsory slaughtering clauses of the Order in Council of 1865; and out of the grant voted, a sum of £900 would have fallen to the share of Aberdeenshire. But Aberdeenshire was in the position that the owners had already been paid, or, rather, had paid themselves by means of the Rinderpest Association. Accordingly, that Association presented a humble memorial to the Privy Council, praying for its share of the grant; but it received a refusal, for which no reason was assigned. The consequence will be that Aberdeenshire will have no participation whatever in the grant for compensation. I believe there is a sum of £20 which will be received by one man — a man who by his very recklessness in refraining from giving the association support is to receive this compensation. Such is the position in which the decision of the Privy Council has placed Aberdeenshire, and all places which acted in the way that county did with respect to compensation. The House of Commons, by making this grant of £35,000, has affirmed the principle on which Aberdeenshire acted; but the Privy Council, by its allocation of the grant, denies the reward Aberdeenshire is entitled to for having given a good example to the country. This is a decision which was not expected by the farmers of Aberdeenshire in their simplicity. They do not understand this sort of compensation. It seems to them to be a tax on forethought and energy, and a premium upon apathy and indifference. Their argument is this, and I think there is logic in it—that if it is a sound principle that owners of property taken by the State for State purposes should be compensated by the State, there should be no exceptions, but wherever the case applies the owners should have compensation; and they think that, in the cases where the owners of cattle have been compensated by the landlords or by voluntary associations, the principle still holds good that the State should pay. All that is required in the present instance is, that a little more trouble should be taken by the Privy Council Office; and that trouble surely is nothing compared with the satisfaction of undoubted justice which Aberdeenshire claims.

Colonel SYKES said, that he had also to complain of Aberdeenshire being excluded from the benefit of the national fund. That county was the first to set a good example; its policy of compensation had been adopted by England, and it was only just that those who had displayed prudence, resolution, and disinterestedness should be compensated as their neighbours were. In England compensation had been given by the State to farmers placed in the same position as those to whom it was denied in Scotland. The conduct of Government was a remarkable instance of one-sidedness.

Lord ROBERT MONTAGU said, that the Order in Council for the slaughter of diseased cattle was made on the 26th of August, 1865. It was an Order for the slaughter of cattle not by the owners, but by inspectors appointed by Government. That Order remained in force till the 23rd of November, when it was rescinded by another Order in Council. The money voted by the House was to pay for the cattle slaughtered by the inspectors during the period which intervened between these two Orders. The sum was calculated upon the returns made, at the time, by the Government Inspectors, of the cattle which they slaughtered and of the value of the cattle at the time of slaughter. In December, 1866, another Order was made as to the distribution of the money. It runs thus—

> "That the amount to be awarded for cattle slaughtered, shall be according to the same rate as is provided by 29 *Vic.* c. 2, with regard to animals slaughtered under such Act, having previously deducted all compensation received from Local Rate, Insurance, Sale of Carcases, and any other sources."

The Rinderpest Association of Aberdeenshire was not "an association for the relief of the sufferers under that Order." The people of Aberdeen had shown a great deal of public spirit. They had been before the rest of the country in endeavouring to stamp out the plague by slaughtering the diseased cattle; and they formed an association to pay each other for the cattle killed by themselves with that laudable object. This they did for their own good. They knew that by this means they would be subject to less loss. In time the whole nation followed in their steps, and by similar means, stamped out the plague throughout the whole country. The Privy Council had killed no cattle in Aberdeenshire except in the one case referred to by the hon. Member who had put the Question, and he had been paid by the loss which he had suffered under the Orders of the Privy Council. The £35,000 granted by the House was apportioned in accordance with the returns, made by the inspectors, of the cattle killed by them under the Order in Council. But in Aberdeenshire, with one exception, no cattle had been killed by the inspectors under that Order. How, then, were the Government to know the value of the cattle killed? The *ipse dixit* of the owner must be taken; but this would be out of the question. Again, an enormous inconvenience would result if this matter were re-opened. We stepped in when the plague was over; the people had settled down. Some had suffered total loss; others had since been satisfied. Some of the farmers who had lost their cattle had been re-imbursed by their landlords; others by the county Association; and if the Government were to say that they would compensate in these cases, claims would pour in by thousands, not from Aberdeenshire only, but from places all over the country. The class of claimants also would be different; it would not be the farmers who would claim; but the landlords or associations who had recompensed them. But the hon. Member thinks that "Associations have a right to claim compensation." What is an Association? A certain number of persons banded themselves together; and, if they could estimate the probable loss in the year, they divided it between them, and each paid his quota; so that the many paid a small sum, and the few sufferers were recouped. But, if you paid compensation to the Association, the money would not go into the pockets of those who had lost their cattle, but into the pockets of those who had not. As the farmers had already been compensated by the Association or by the landlords, the compensation awarded would really go to the two last; in other words, the State was to compensate persons who had not lost their cattle. Again, an association is not limited as to size. If you are to compensate one association you must compensate another. Now, suppose that Sir James Shuttleworth's plan of a National Assurance Association had been carried out. Then every one who lost cattle would have been compensated out of a general rate on land; and the landowners might have claimed to be re-imbursed out of the Consolidated Fund. This would be absurd; but it rests on the same argument as the claim of the hon. Member. If the hon. Member thought he had a good case, his proper course was to bring it before the House of Commons and try to get an additional grant to compensate the Aberdeen Rinderpest Association.

THE BURLINGTON HOUSE SITE.

OBSERVATIONS.

MR. LAYARD said, he rose to call the attention of the House to the buildings now in course of erection on the site of Burlington House, especially with reference to the pledge given to Parliament last year. The late Government desired that the Burlington House site should be appropriated to a building for the reception of the national pictures; but, chiefly through the influence of the present First Commissioner of Works (Lord John Manners), the Vote proposed for that purpose was negatived and the scheme thrown out. For the interests of Art no more disastrous Vote ever passed the House. If a National Gallery had been erected on this spot a most important question affecting Art would have been settled; the national pictures would have been rescued from injury; and an admirable building, of which the plans and elevation were submitted to the House, would have been provided for their reception. It would now take many years to settle the question, if it were settled at all. The scheme of the late Government having being rejected, it was decided to appropriate the site for the purposes of the Royal Academy, the London University, the Royal Society, and other learned bodies. Certain hon. Members, admiring the architecture of Burlington House, thought that it ought not to be interfered with. The house was a handsome gentleman's residence, and a very fair specimen of domestic architecture, but he did not attach the value to it which was attached by many persons; and if, as he was told, no living English architect could hope to rival it, this country must be very badly off for architects. The principal merit of Burlington House was the *tout ensemble* formed by the main building, the wings, the colonnade, and other parts of the structure. Owing to the feeling he had mentioned, it was decided that Burlington House should be kept standing. The question then arose how the building should be turned to account, because to keep up the wings, colonnade, and the screen or frontage in Piccadilly would be to sacrifice a large extent of valuable ground. At length certain plans were proposed, and were originally accepted by his right hon. Friend (Mr. Cowper). It was determined that Burlington House should be utilized by being gutted and made a portico, as it were, through which access should be had to buildings to be erected behind it. The Royal Society and the other learned societies were to be accommodated in front. Burlington House was to be made the centre of two wings, which were to be carried out at right angles to it to Piccadilly, and there united by a sort of façade, in the centre of which was to be a grand triumphal arch leading to the court-yard in which Burlington House stood. Behind Burlington House was to be erected the Royal Academy, and behind the Royal Academy, again, a building for the accommodation of the London University. By following the plan proposed, an important feature in the house, its colonnade, would altogether disappear, and therefore one of the reasons for keeping it up would disappear also; and, again, to raise new and lofty buildings round about it was like marrying a little short man to a very stout woman who would be smothered in her embraces. The absurdity of this being apparent to everybody, another story was now to be added to Burlington House; and to give it strength at the base an arcade or portico was to be erected, uniting the two ends of the building. Thus Burlington House would lose its distinctive character altogether, and the reason for sacrificing so much valuable ground in order to preserve the original building would no longer exist. Now, considering that the buildings now to be erected would form one group, it was natural to suppose that one leading mind would superintend the erection of the whole. However, this was not thought right; and as on the French stage we often saw one play written by two authors, so here this group of buildings was handed over to three architects. Burlington House was to be transformed by Mr. Smirke, the new wings and façade were intrusted to Messrs. Banks and Barry, and Mr. Pennethorne was charged with the erection of the London University behind. The natural presumption was that the buildings behind Burlington House should follow the style of that building—the Palladian or Classic Italian. Accordingly, Mr. Pennethorne proposed a plan in this style for the London University. Meanwhile, however, a change had taken place in the Government, and the noble Lord became Chief Commissioner of Works. Unfortunately, the noble Lord had a certain attachment for the Gothic style; and Mr. Pennethorne, abandoning his Palladian plan after having submitted it to the noble Lord, sent in an Italian-Gothic elevation; whether by the direction of the noble Lord or not it appeared doubtful; but the noble Lord accepted the new designs. The hon. Member for Roscommon asked the noble Lord the other night to say what Italian-Gothic was; and well he might. He (Mr. Layard) was puzzled to know what was meant by Italian-Gothic. Was it the chaste, early Gothic so generally used by the Franciscan order in their churches, or the ornate style of Milan Cathedral, or what? Mr. Pennethorne retained the original interior plan of the building, but converted the exterior elevation from Classic into Italian-Gothic, which was an anomaly, because the interior arrangements that would suit a Palladian building would probably not suit a Gothic building. The face of a building could not be changed without a corresponding change of the interior. Already fourteen feet of the building had been erected, but the London University Committee appeared not to have been consulted in the matter. When they found they had got this Italian-Gothic building, on the 22nd of February they adopted the following resolution:—

"They much regret that they cannot speak favourably of the elevation. They are, however, fully sensible of the disadvantage under which the architect has laboured in putting a Gothic casing upon an edifice planned for the adoption of an entirely different (and, indeed, antagonistic) style. Believing that ornament should be subservient to structural expression, they would gladly see the whole series of spires and pinnacles done away with. The sub-Committee also feel that the concealment of the roofs of the wings produces a want of harmony in the general effect, the centre having a high-pitched roof which is really picturesque. The design of the windows in the wings also seems to them capable of improvement; and they dislike the present aspect of the arcade at the entrance. They also cannot but regret that the principal range of windows should light a series of small or moderate-sized apartments, and thus give a certain character of unreality to the design; but this has been in a great measure the result of adopting a Gothic elevation without recasting the plan of the building."

The building, it would appear, was one which had all manner of spires and pinnacles. Having made several attempts to induce the noble Lord to withdraw the Italian-Gothic façade, on the 25th of March the Committee of the London University passed this resolution—

> "That, having reference to the style of the adjoining buildings and to the character and purposes of the University of London, it is the opinion of this Committee that the modern style of architecture would be preferable either to the mediæval or to the Italian-Gothic, for the elevation of the new building. That in case the Senate feel precluded by the communication from Lord John Manners from proposing any such fundamental change as that implied in the preceding resolution, the Committee would think it desirable to have some conference with Mr. Pennethorne on various modifications of the Italian-Gothic elevation now before them, which would not interfere with the early and economical completion of the building."

He understood that the answer they got was to the effect that they were to mind their own business; they had to live in the house, but had nothing to do with the building of it, and that the design was to be carried out as a whole. Such was the history of this Italian-Gothic building to be raised behind Burlington House. He had seen the elevation for the additional story to Burlington House, and for the wings and façade in Piccadilly, and he admitted that they were very handsome, and that Mr. Smirke had done all he could to adapt that building to its object and to the surrounding edifices. On the whole, the grand entrance in Piccadilly, and the lofty ornamental buildings in the Palladian style for the wings, did great credit to Messrs. Banks and Barry; and he trusted that when Members saw the plans, as he hoped they would do, in the Library of the House, they would meet their approval. But the noble Lord had not only sinned against taste, but against the House of Commons. Last year they were called upon to vote £20,000 on account of buildings to be erected on the Burlington House site. The House objected to vote the sum without having an idea of the class of building to be erected, and a distinct pledge was given that the House should not be called upon to vote any more money until the plans and elevations had been submitted for the inspection of its Members. The right hon. Gentleman (Mr. Gladstone) said—

> "The great question related to the frontages to the north and south. . . . He should like the Committee to pass this vote. But he accompanied that with this arrangement. His right hon. Friend had already the ground plan prepared, and there would be no difficulty in immediately proceeding with the preparation of the designs, so as to give hon. Gentlemen what opportunities for criticism they might desire before any step was taken in the erection of the building.—[3 *Hansard*, clxxxiii. 190-1.]

The First Commissioner of Works (Mr. Cowper) said—

> "He could assure the House that the plans would be completed before any of the work was commenced, and he would promise to place them within the reach of hon. Members, so as to show the portion that would be occupied by the Royal Academy on the southern side, that occupied by the London University at the northern end, and the intermediate space, which would accommodate the learned societies. The plan might be executed at different times, but the whole would be settled before any part was commenced. The Royal Academy building would be designed by their own architect, subject to the approval of the Board of Works, and care would be taken that it harmonized in character and general arrangements with the University building. They need not be identical in style, but all the buildings that would cover the site would be viewed as one composition."—[3 *Hansard*, clxxxiii. 192.]

That was a distinct pledge to submit the designs to the House. The present First Commissioner of Works (Lord John Manners) was reported to have said—

> "He was of opinion that before this Vote was agreed to the House should be in possession of some general scheme for occupying the ground facing Piccadilly and the gardens behind. He thought it would be desirable for the Government to postpone the Vote for the present."—[3 *Hansard*, clxxxiii. 189.]

The noble Lord was then in Opposition; but since he had come into office he had violated every pledge that had been given, and the buildings had been commenced without any plans or elevations being placed within the reach of hon. Members. Notwithstanding the fact that the House voted the £20,000 on the understanding that no further demand should be made upon them until the House had seen the plans and elevations, the noble Lord, he understood, now put forward the extraordinary doctrine that the head of a Department was not bound by any pledges made by his predecessors in office. That was a most mischievous and dangerous doctrine, which, if carried out, would result in a general want of confidence in the heads of Departments, who might be changed at any time, and whose pledges would not be binding on their successors. Unless some distinct explanation should be given which would show a good reason for the course which had been pursued, he should move, when the next Vote on the subject was proposed to the House, that it should be rejected, and that the works should be stopped until the House had had an opportunity of inspecting and approving the plans for the whole group of buildings.

Lord JOHN MANNERS said, that there would be no objection to produce the Correspondence which had taken place between Her Majesty's Government and the London University during the entire period the negotiations had been in progress. The miseries of private gentlemen who engaged in building were proverbial; but they were nothing to what were suffered in similar cases by the head of a public Department. It was now nine years since the House had first commenced discussing this subject, and the hon. Member blamed it for having at last decided that the National Gallery was to be in Trafalgar Square, and the Royal Academy in Burlington House. He put it to the House that if, by any action on their part, they were to prevent that great scheme which had been decided on two or three years ago, by which Trafalgar Square was to be reserved for the National Gallery, and the Royal Academy was to be placed in Burlington Gardens, from being carried out, very great inconvenience must be the result. The hon. Gentleman, in the opening of his speech, had found great fault with him with reference to the design adopted for the building of the London University in Burlington Gardens, and also for the manner in which, according to the hon. Gentleman, he had not fulfilled certain pledges given to the House by his predecessor. With regard to the first point, he really felt a difficulty in approaching once more the old worn-out question of "the battle of the styles." The history which the hon. Gentleman had given—founded on what authority he could not even pretend to guess—as to the manner in which this particular design was formed was erroneous from beginning to end. He begged leave to state, in the most emphatic manner, that he never directed Mr. Pennethorne to form the design in Palladian, Gothic, Italian-Gothic, Byzantine, or any other style. When he succeeded to the office which he had now the honour to hold, he found that the House of Commons had voted £20,000 for the erection of a building for the London University, and that the right hon. Gentleman (Mr. Gladstone), on the 30th of April last, had told the House that it was of the utmost importance that not a moment should be lost, that the Vote should be taken without delay, and the work at once commenced. When he found that such was the state of things, and that his predecessor before leaving office had commissioned Mr. Pennethorne to prepare specifications for the foundations of the building, he felt it to be clearly his duty not to stop the work, but to take the necessary steps to carry that work to completion. He therefore instructed Mr. Pennethorne to prepare a design; but he begged leave to deny, in the most emphatic manner, that in giving those instructions he expressed any preference whatever for one style of architecture over another. The result showed it. For how did Mr. Pennethorne fulfil those instructions? The hon. Gentleman said, and said truly, that he had sent in what the hon. Gentleman rightly or wrongly called a Palladian design. The hon. Gentleman also said that his charge must be well founded, because it was founded on documents received from the London University. He begged to say that such was not the fact. Mr. Pennethorne of his own free will proposed two alternative designs. What became of the charge that he had shown a complete indifference to the wishes of the London University, who were to inhabit the building? What did he do? He requested the authorities of the London University to come down and examine the designs to see which of the two they preferred. The Chancellor was not in London at the time, nor he believed the Vice Chancellor; but Dr. Carpenter, the Registrar, came to his office, and he (Lord John Manners) begged that he, in conjunction with Mr. Pennethorne, should examine the designs and report which they preferred. The result was that, without expressing any very decided preference for one or the other, both Dr. Carpenter and Mr. Pennethorne said they rather preferred that the Italian-Gothic design should be adopted. They went carefully into the question how all the requirements of the London University would be met, and Dr. Carpenter seemed quite satisfied that ample provision would be made for them. And that was the whole of this tremendous affair of these two alternatives. He had no more notion of forcing Mr. Pennethorne or the London University to adopt a design which they did not like than the hon. Gentleman himself. Then the hon. Gentleman went into a matter very difficult to discuss in Parliament—the question of taste. That was a question which had been brought forward on many occasions. The hon. Gentleman thought that what he called the front and back of buildings ought to be in the same style of architecture. He entirely agreed with the hon. Gentleman; but the whole question was, what was the front and what the back? The hon. Gentleman said that any building erected behind Burlington House on the north side must be in the same style of architecture as the building on the south side. Now, in what style of architecture were the authorities of the Royal Academy going to carry out those works which had met with approval of the hon. Member, and which were to be erected at the rear of Burlington House at their own expense? Were they to be in the Palladian style? [Mr. LAYARD: I hope so.] They were to be in the plainest possible style—they were to be architecturally adapted for galleries for pictures. The house with which the new building would be brought into immediate contact was that which belonged to General Cavendish, and he would challenge the hon. Gentleman to tell what was the style of architecture of that house? He should like further to know from him whether he thought the new building ought to be in that style. For his own part, he had not expressed an opinion in favour of one style of architecture over another. But the hon. Gentleman had referred to what had been said by the late Chancellor of the Exchequer (Mr. Gladstone) on the 30th of April last, and also to what had fallen from himself on that occasion. It was quite true that he had then observed that, if it were in the power of the Government to do so, it would be well to place before the House a general plan, and to show how the whole of the piece of ground in question was to be appropriated. But the late Chancellor of the Exchequer, speaking after him, and he believed in answer to him, said—

> "It was necessary to take this Vote because the case of the University of London was urgent in point of time. If they were not allowed to take a Vote until they could produce a plan for the appropriation of the whole site, there would be a loss of a whole year, and even then the object in view would not be attained. The Royal Academy was going to build out of its own funds, and it would require a good deal of time to settle the mode of filling up the intermediate portion of the site."—[3 *Hansard*, clxxxiii. 190.]

Now, he was not disposed to be unreasonable, and that answer of the late Chancellor of the Exchequer to him was, he thought, a sound one. The House took the same view, because the Vote, after considerable discussion, was allowed to pass without a division. The hon. Gentleman, however, accused him of breach of faith, because he had not produced those plans which could not be produced last year. The right hon. Gentleman (Mr. Cowper), it was true, on that occasion said—

> "He could assure the House that the plans would be completed before any of the work was commenced, and he would promise to place them within the reach of hon. Members, so as to show the portion that would be occupied by the Royal Academy on the southern side, that occupied by the London University at the northern end, and the intermediate space, which would accommodate the learned societies."—[3 *Hansard*, clxxxiii. 192.]

But he gathered from that statement that it referred to the plans for the distribution of the ground, and not to the elevations and designs, which were things perfectly distinct. In answer to a Question which had been put to him on July 31 by his hon. Friend (Mr. Beresford Hope), he said—

> "It is impossible for me to exhibit the design referred to by the hon. Member, as it is not in my possession."—[3 *Hansard*, clxxxiv. 1762.]

And that was the fact, because, although the right hon. Gentleman (Mr. Cowper), after the Vote had passed, gave instructions to Mr. Pennethorne to prepare specifications for the foundations of the work, he issued no instructions for the preparation of designs so long as he remained in office. As soon as the plans for the appropriation of the ground could be prepared, he (Lord John Manners) was perfectly willing and ready and anxious that they should be placed in the Library for the inspection of hon. Members. There was necessarily great delay in dealing with the various bodies concerned. Arrangements had to be made with no less than six learned societies, and accommodation to be provided for the Royal Academy, as well as a new building for the London University. Those arrangements were now concluded, and the plans would be immediately placed before the House. Before any fresh Vote was asked for, the complete appropriation of the whole site of Burlington House and Burlington Gardens would be distinctly shown. Hon. Members would, when they saw the accommodation which was to be provided for the Royal Academy and for the different learned societies, and the new building for the London University, admit that the appropriation of the property at Burlington House was such as was originally contemplated by the nation, when the purchase of that property was made. It was such as would satisfy those who set a value on the objects which those great learned and artistic societies had in view. He understood from those who had seen some of the designs for the Royal Academy and the accommodation of the other societies that they met with general approbation. Nothing, he could assure the House, could be further from his intention than to treat it with the slightest disrespect, or to depart in the least degree from any pledge which might have been given. He had always, in the discharge of his duty, endeavoured to take the House fully into his confidence, and he hoped that in the present instance it would find that the Government had come to a wise and satisfactory decision.

Mr. CARDWELL said, he could assure the noble Lord that the London University with which he had the honour to be connected as a Member of the Senate, so far from making any complaint of him, were very sensible of the courtesy which they had received at his hands in reference to their new building. He might also say that, having for a long time sat in that House with the noble Lord, he should be the last person to charge him with violating any pledge he had given. Through the kindness of the noble Lord he had been enabled within the last few days to see the elevations in accordance with which the building was to be erected. Without entering into a discussion on a matter of taste, on which he did not feel that he was an authority, he might state it to be his belief, as a matter of fact, that if the elevation which it was proposed to erect in Burlington Gardens for the purposes of the London University had been exhibited in the Library of the House before the Vote was taken for it, not a single shilling would have been voted for carrying out such a plan. The extracts from the speech of the right hon. Member (Mr. Cowper) contained a statement that the plan would be submitted as a whole, and that the House of Commons would have the opportunity of declaring whether the buildings should be made consistent and harmonious with one another. But the noble Lord seemed to think it very absurd to suppose that because the Royal Academy was constructed in accordance with one style of architecture, the London University, on the same piece of ground, might not be built in a style entirely different. It appeared to him that the House would very likely be of an entirely different opinion, and if Burlington House was to be preserved, and other buildings were to be erected on the grounds, and to be parcels of the same block, the House would probably think that all the buildings should be in harmony one with another. It was very desirable that a large sum should not be voted and expended on buildings which instead of being an ornament, would be a disfigurement to the metropolis, until the House of Commons had had the opportunity of forming a judgment with respect to them. As the noble Lord proposed to place the design of the elevation in the Library in a few days, hon. Members would be able to pronounce an opinion in respect to it. He knew that the Senate of the London Unisity was of one mind in thinking that the building would be not an ornament but a disfigurement to the metropolis. He had been under the apprehension that the noble Lord, having a great liking for that particular style of architecture, had in this case yielded to his predilection. He was relieved from that apprehension, for it appeared that the noble Lord only desired Mr. Pennethorne to make two elevations, that those elevations were submitted to Dr. Carpenter, and that the two, in a few minutes, determined on the design without consulting the noble Lord. No doubt Dr. Carpenter supposed that his opinion was asked upon the convenience of the arrangements of the plan for the London University, and never for one moment believed that there was vested in him authority to speak for the Chancellor and Senate of the London University, and give their opinion as to the elevation to be erected. However, it was not for the London University, much less for Dr. Carpenter, to decide the question how public money was to be spent in ornamenting or disfiguring the metropolis. That was a question for the House of Commons, and it could not be decided without the House seeing the plan of the elevation. One duty the London University had to discharge, and that was to express their opinion on the subject. He bore testimony to the courtesy with which the noble Lord had treated the London University. He should like to know what amount of smart money the country would have to pay if this elevation were got rid of and another substituted for it. He hoped that a third elevation, preferable to either of the other two, might be adopted by the House.

Mr. BERESFORD HOPE thought that the present discussion showed how ill-advised the last Parliament was under the advice of those now in power in throwing over the scheme for building the National Gallery on Burlington Gardens, and erecting there one uniform and harmonious structure. The House would recollect how he had been supported by his hon. Friend the Member for Southwark on his Motion last Session to reverse this decision, and what little support he had received. All he had realized was saving Burlington House at the loss, however, of its best portion, its picturesque colonnade, which he hoped might be erected elsewhere. In the conversation which took place on the 30th of April in last year he clearly understood the right hon. Member for Hertford to promise that all the plans and elevations of the new buildings should be submitted to the House. Several hon. Members were taken aback at the suddenness with which the idea of putting the London University in Burlington Gardens had been produced full fledged; but a distinct promise was given by the then Commissioner of Works that the elevations and designs should be produced, and though a change of Government took place, he could not have thought that that promise would have been so entirely neglected. Under the old scheme there would have been one grand harmonious palace erected on the ground, with a direct through communication and two façades saving withal Burlington House. So much did he admire the scheme that he waived in favour of it his personal preference for Gothic. But this had been given up, and the ground was to be cut up and frittered away partly between the Royal Academy and the London University. Each building would now have its own entrance front, and neither of them would have any intercommunication, nor back nor sides, but simple blank walls, except the façades. Moreover, there could not conceivably be two structures which it would be more impossible to comprehend in the same *coup d'œil*, except from a balloon, than the Royal Academy looking down upon Piccadilly, and the London University up Cork Street. Accordingly, the unity of structure which had to be maintained in the days when the National Gallery was to cover the whole space no longer existed. The question whether Mr. Pennethorne's design was good or bad should be tested by its own merits—if good, let it be adopted; if bad, corrected, for a bad Gothic design would raise a prejudice against its style. The good scheme that would cover Burlington Gardens with one building was passed and gone. It was to be covered with two buildings totally distinct in their objects. Let them be dealt with on their own merits. Let them forget that there was a Royal Academy to the south, and deal with the London University merely with a view to Burlington Gardens. Take it in hand—make it as commodious and picturesque as possible, and if it could be made a new starting point for metropolitan architecture, so much the better. The time had come when the revolt was sounded against that monotonous repetition of Italian architecture in stucco and compo which had too long defaced our streets. Men were beginning to appreciate the picturesque forms of the Middle Ages so well adapted to the purposes of our present life. A Gothic club-house was rising in St. James' Street. A Gothic Insurance Office of great beauty had been planted within Temple Bar; a Gothic warehouse of great originality had been erected in Thames Street, while of all Members whom he felt sure would most warmly hail this happy change he would name the Member for Southwark, whose labours of love in the Arundel Society had done so much to impress our minds with the beauties of the mediæval art of Italy.

Mr. TITE said, he thought that there was one building in London which was admirably adapted for all practical purposes, and that was Somerset House. He felt that they were all much obliged to the noble Lord (Lord John Manners) for the candid manner in which he had acted and for the candid explanations he had given, by which he had liberated himself from all accusation. He had himself strongly urged getting the London University out of the rooms in which they were at present so inconveniently placed; but he certainly understood that before anything was undertaken they would have not only the plans but the elevation of the buildings. He would humbly suggest to the noble Lord that he should at once produce the plans. After the emphatic denunciation they had heard they ought to look carefully at this design before going further. The "battle of the styles" had been ill-fought on the present occasion. The same foundation would avail for a classical and a Gothic building. The right hon. Gentleman (Mr. Cardwell) asked what amount of smart-money they would have to pay? He did not think it would be very much. The main thing was that the noble Lord should stay further progress in order to produce the design, and within a week they might come to a determination whether the judgment of the London University was right, and the judgment of the architect was wrong. If the feeling of the House was in favour of a Gothic design, no one could carry it out better than Mr. Pennethorne. With the opening from Piccadilly through the University buildings, he thought the three distinct styles of Burlington House, the Royal Academy, and the University building would in some sort or another be united. He understood that there was to be a way through the Burlington House galleries into the University building, and it would be very objectionable if the galleries were in one style and the new building in another. He could not conceive that with such a variety of style a result satisfactory to the nation could be carried out. This debate might well stand adjourned till they saw Mr. Pennethorne's design.

Mr. BENTINCK said, he gave his noble Friend (Lord John Manners) every credit for the great frankness with which he had made his statement. At the same time, there was one important point to which he had not adverted—namely, that Mr. Pennethorne's first design was in harmony with Burlington House, and that it was only on second thoughts that he furnished the present design. He quite agreed that they ought to endeavour to blend in one design the two buildings. As to any supposed breach of faith towards the House, he might say that having listened to the debate of last year, his opinion was that what was said by the right hon. Gentlemen (Mr. Gladstone and Mr. Cowper) had been carried into effect. It was a question of accommodating three bodies—the Royal Academy, the Learned Societies, and the London University. He (Mr. Bentinck) took objection to the multitude of architects, and the answer he received was that they should work together. The whole depended on the Royal Academy agreeing to go to Burlington House. What happened after that? Sir Francis Grant declined, and would not go there till lately. Now he heard for the first time that the Royal Academy was going to Burlington House. He hoped that his noble Friend would throw aside any prejudice he might have, and comply with the request that had been made to him by hon. Members on both sides of the House. Until the Estimates were brought forward, which he assumed they would be at no very distant day, he would suggest to his noble Friend that directions should be given to stop any artistic work which had been commenced, and that the designs should be exhibited in the Library or in some other convenient place. When there had been an opportunity of taking the opinion of the House, no doubt a building would be erected which would be a credit to the metropolis.

Lord ELCHO said, he wished, after what had fallen from the hon. Member (Mr. Tite), to offer a practical suggestion—namely, that the work in this case should be stopped until the designs had been laid before Parliament, and the House enabled to form an opinion upon them. Some years ago the advocates of the Gothic style for the new Foreign Office were defeated; but he thought the result must have rather shaken the faith of those who had voted in favour of the style recommended by Lord Palmerston. As to the building now in question, it was to be regretted that the back of it would not correspond more with the front. In order to fulfil the understanding which was apparently come to by his predecessor in office, his noble Friend (Lord John Manners) should lay the plans before Parliament previous to proceeding with the building; otherwise, if they should see reason to object to what was done, they might be met with the answer that it was too late to make any change.

Mr. COWPER said, that when in April last the Vote was proposed to the House and carried it was the intention of the then Government to place the Royal Academy on the south side of the Burlington House site, and that the north side of the site should remain open for the purposes of the

London University. At that time many hon. Members were much afraid that the building would be erected without any reference to a general scheme and to that proper harmony which ought to mark all the buildings on the Burlington House site. He remembered that the first in pressing that view upon the House was the noble Lord (Lord John Manners). To such a degree, indeed, did the noble Lord push it that he proposed to postpone the Vote because he feared there was not a complete and harmonious scheme for disposing of the whole of the site. He himself at once met that objection by saying that although it was not for the advantage of public business then to postpone that particular Vote, yet he was quite prepared, on behalf of the then Government, to state that they would satisfy the House that the whole of the ground was laid out with a general intention and a harmonious design, and that they were quite ready to let the House see the plans on which they meant to proceed, though those plans were not at that moment prepared. Therefore, the noble Lord must have been quite aware of the engagement into which the late Government had entered; and he was surprised that the noble Lord had not thought fit to act upon that understanding. There certainly was an understanding on the part of the late Government that the House should have information as to the plans for the building, though the elevation was not specially mentioned. At that time he had not caused any elevation to be prepared, for the very reason that he never intended that the London University should be a distinct portion of the building which was to occupy the site of Burlington House. He thought it should be in harmony with the other buildings which the Royal Academy were prepared to erect on the southern side; and until the architects employed by the Royal Academy could begin to consider what elevation they should propose for the assent of the First Commissioner of Works, he had not thought it right that any elevation should be prepared for the London University. Italian-Gothic was a style in which beauty and variety might be successfully combined with grandeur of effect; but that style was not appropriate to the position or the purpose of the building in question.

GRAND DUCHY OF LUXEMBOURG.

QUESTION.

Sir ROBERT PEEL: Sir, I can hardly expect the House at this late hour (twelve o'clock) to give its attention to the subject which stands on the paper with my name attached to it. At the same time, I venture to crave its indulgence for a few moments, while I refer to that topic. I was quite willing, Sir, to give way to my hon. Friend (Mr. Tite), because I always regard him as a patron saint of architecture. He so impressed me to-night with the idea of wings and structures without rears or fronts, that I am inclined to look on Italian-Gothic, as if I may so describe it, the Cherubim style. Having made that passing allusion to my hon. Friend, I am anxious to refer to the Question of which I have given notice, and which is one of great importance. Judging merely from the small superficial area involved, it may, perhaps, be viewed as of very limited moment, compared with the great territorial adjustments which have been taking place on the Continent. But, at the same time, it affects considerations which in my humble judgment are most important in their bearing upon the interests of Europe, and which, unless the negotiations are conducted in a spirit of fairness and of conciliation between the two principal Powers concerned, will, I am afraid, involve Europe in a very grave crisis. We have not yet heard anything from the Government upon this subject, though, no doubt, this morning's papers have informed us that the negotiations for the transfer of Luxembourg to France was at an end. I hope that may be the case; though, of course, until we hear what remarks the noble Lord (Lord Stanley) may make upon the subject, we shall be in the dark upon the point. But I am afraid that, even if this be the case, it will only tend to increase the perplexities of France, and will only tend to make still more patent the evils of that harassing policy which has placed her in so humiliating a position in the eyes of Europe. This morning's papers have stated that the negotiations for the annexation or the cession of Luxembourg to France are at an end. But it was only the other day that we were informed that Ministers, or at least ex-Ministers, do not read the newspapers. If I recollect right, it was only the other day that the right hon. Gentleman (Mr. Gladstone) informed us that he had not seen in the newspapers an account, which occupied two or three columns of *The Times*, of a meeting which all the world was talking about, which he held at his own house, with some advanced Reformers; I do not know who. [*A laugh.*] At any rate, then, we hear that ex-Ministers do not read the newspapers. I therefore now ask the noble Lord to give us some information as to whether or not it is the case that there has been a proposal emanating either from France or from Holland—I presume it did not emanate from Prussia—to sell about 200,000 inhabitants of Luxembourg—180,000 of whom are Germans—to France, at the rate of 500 francs, or about £20 per head. That is part of the policy of the Emperor of the French. That policy has failed for the last seven or eight years. It is impossible to understand what he aims at. I cannot for a moment conceive that he tries to humble France in the eyes of Europe—such an idea would be absurd. Twice during a very short time he has told Europe of the gratification with which he has attempted to upset the treaty of Vienna. From the very moment when having deceived Lord Cowley and all Europe, he stood with Victor Emmanuel on the summit of the Alps, and proclaimed the annexation of the two Provinces of Savoy and Nice, he has committed a series of blunders, which have involved him in the perplexing position in which he now stands. I do not know whether the noble Lord (Lord Stanley) will be able to give us any explanation as to the negotiations that have taken place in this mattter, and as to the frankness of France in such negotiations. I, in common with the House generally, have every confidence in the ability of the noble Lord, and in the course he may think fit to adopt in his administration of our Foreign Affairs at this moment. I heard a high compliment paid him the other evening by the Chancellor of the Exchequer. It would have sounded better had it come from some other person than a Colleague. Still, I fully endorse that expression of esteem. But I wish to impress upon the noble Lord that for some years he and the party with which he was acting were constantly saying that the policy of Lord Palmerston and of Lord Russell was more and more isolating this country from the affairs of Europe. I do not wish to see this country indiscreetly meddling upon every occasion in European affairs; but sometimes I think that it is scarcely wise that we should be isolating ourselves to the degree which I fear is becoming so conspicuous in regard to our relations with foreign nations. I hope that the noble Lord, in the debate that we shall certainly have in the course of next week, when the whole question of our foreign policy must be brought before the House and the country in reference to the dispute with Spain—will give us some better assurance upon this point than we received the other day in "another place." The country was then informed by a noble Duke that upon notice having been given of a Motion to be made in this House he had telegraphed two hours before the debate took place to St. Petersburg to know whether it was true that Russia had ceded an extent of territory, amounting to 300,000 square miles, to the United States. The Government of the day and the Minister for Foreign affairs knew nothing about it. That circumstance shows how much our policy of isolation has tended to disassociate this country from the nations of Europe. I hope the noble Lord will not accuse me of taking a liberty in pointing this out to him, because I think nothing can be worse and nothing more injurious than that this system of our standing apart from other European nations should be carried out to too great an extent. I have made these observations with the view of eliciting from the noble Lord whether the breaking off of the negotiations for the annexation of Luxembourg by France is owing to any representations which have been made by Her Majesty's Government. I hope that such is the case. I hope sincerely that the noble Lord, with that excellent good sense that distinguishes him, has pointed out to the Emperor of the French and to the King of Holland—to the latter particularly—that this shabby traffiking in the sale of people will not do. I hope the noble Lord has pointed this out to them, and that he will be able to tell us that he has recommended them to let the matter drop through. Not that it will drop through altogether, I am afraid. I cannot conceive any question more likely to involve Europe, and certainly England, in a war than the question of a cession of this kind, which is one to which certainly Prussia would never willingly agree. Although we are sometimes indifferent to certain rectifications of frontiers, we should, nevertheless, scarcely be likely to assent to a transfer of territory that will affect Belgium and other States of Europe. Is it likely that Russia, as one of the five parties to the Treaty of 1831, that separated Belgium from Holland, would view this annexation with indifference. There is, however, no doubt whatever that this barter—this sale—was contemplated. The noble Lord admitted the other day, in his reply to an hon. Gentleman below the gangway, that there was no doubt communications had passed between the Governments of France and Holland with reference to the possible transfer of this territory. But the matter does not rest solely upon the statement of the noble Lord. By a singular coincidence, on the same day that the noble Lord made that statement in this House, Count Bismarck, in the North German Parliament, in reply to a question, stated, that so far back as October last, the subject had been raised. The King of Holland had at that time questioned the Prussian Ambassador, whether his country would be prepared to yield the occupation of Luxembourg. Count Bismarck further stated that while he was willing to respect the susceptibilities of France, Holland must take upon itself the entire responsibility of every transaction in the matter. That is the only answer we should have expected from Count Bismarck. There, however, appears officially in the *Constitutionnel* a statement that clearly shows the aim of the Government of France in making this demand. Only a short time after the battle of Sadowa, France asked for an enlargement of territory. That demand was peremptorily refused, to the evident annoyance of the Emperor of the French, though he bore it with an appearance of chivalrous disregard. But, now that he asks the King of Prussia to consent to this cession, an article appears in the *Constitutionnel*, the official journal of France, and which is therefore supposed to have been inserted by authority. It says—

> "France has no desire to threaten the interests of Germany, or to bring her honour into question. France has no warlike tendencies, but has solely a deep sense of what is just and equitable. Now, it would be neither just nor equitable that Prussia, after having achieved her great conquests without obstacles, should watch jealously the smallest acquisition that may be desired by her neighbours—not in the interest of ambition but of security."

We know well enough what the Emperor of the French had in view, or, perhaps, I should rather say, what the writer of the article had in view, when he says that he tried to get Luxembourg, "not in the interest of ambition, but of security." It is this. During the Revolution of France one of the greatest men—perhaps the

greatest military man in the early period of that revolution, Carnot, was intrusted with the drawing up of the military arrangements on that side of the Moselle. He says, in his memoirs, that the holding of Luxembourg is a matter of vital importance to France. Carnot says—

> "Le seul point d'appui pour attaquer la France est de la coté de Moselle."

Therefore we have the authority of Carnot, which has evidently influenced the Emperor, that the holding of Luxembourg is a matter of the first importance for France for defensive or offensive operations against Germany. When this proposed cession was mentioned, it caused even greater dissatisfaction to Europe than that of Savoy and Nice. That there have been strong manifestations in Germany cannot be denied. Even Bavaria has strongly protested against this threatened action on the part of Holland. In the official journal of Prussia it was stated that in the event of war on account of Luxembourg Italy and Prussia would act together, and the King of Italy would look forward to that war in order to recover Savoy and Nice. When statements like these are made in official and semi-official journals of Prussia and France, there is evidently some deep-laid scheme at the bottom, which I hope the noble Lord will bear in mind so as to prevent serious convulsions in the state of Europe. If the noble Lord will look to the Treaty of Vienna in 1815 and the Treaty of 1831, he will find it laid down that when by the Treaty of 1815 Luxembourg was ceded to Holland, it was in exchange for some part of Nassau, but on the distinct understanding that Luxembourg should be continued as part of the Germanic Confederation. When in 1831 Lord Palmerston and, I think, Talleyrand, and other statesmen were engaged in drawing up the treaty, it was distinctly laid down that Luxembourg should not go to Belgium, but should remain with Holland, and continue part of the Germanic Confederation. If hon. Members will read the admirable memoir of Earl Grey and the correspondence on the Reform question of 1831 they will find this question alluded to. In the first speech of the King of the Belgians on opening the Chambers in 1831 he expressed the dissatisfaction which he and the Belgian people felt at not having Luxembourg. Earl Grey resented that speech, and an intimation was sent to the King of the Belgians that he must withdraw any expectations as to the occupation of Luxembourg by Belgium. This is a matter of the deepest and most pressing moment to the peace of Europe. If the attempts of France are in any way encouraged or connived at by the Government of this country, it will lead to serious complications into which we shall most undoubtedly be drawn. I trust that the Government of Her Majesty have endeavoured to impress upon the Governments of Holland and France the inexpediency and the danger of pressing forward questions of this kind, knowing, as they must do, that Prussia, with all its power, and with one of the most capable Ministers that ever guided the destinies of a people at its head, will resent that irruption into a pure German population. Of course, this country has no direct interest in trifling territorial adjustment. We only want to see France great in the power of her arts and commerce. But it is this continuous agitation—this disregard of treaties, which is the primary cause of the uneasiness that exists in Europe. I hope that the reply of the noble Lord has been such as to enhance the position and influence of this country abroad.

Lord STANLEY: Although this question of Luxembourg may be in its ultimate result one of great importance; and although the mere stirring of it up during the last ten days has agitated Europe in no inconsiderable degree, yet the facts, which the right hon. Gentleman has accurately stated, lie in a very narrow compass. And, although he has made some remarks to which I cannot agree, and said one or two things which I regret were said, still I am glad he has given me the opportunity of stating, so far as I am able, what has passed in this matter. Every one knows that the French Government have desired to possess this territory of Luxembourg. It is also pretty generally known that the King of Holland was ready to part, on certain conditions, with the interest he had in it. I must remind the House that this is a matter for the King of Holland rather than for the Dutch Government. The territory is detached from that Government, and it is only connected with Holland by the tie of a common Sovereign. I am bound to say, in the interest of truth, that, so far as I am aware, the Dutch Government and the Dutch people do not regard this outlying territory as of any importance to them, or as adding to the strength, security, and prosperity of their country. But it is not the fact that the King of Holland was ever ready to part with this territory unconditionally. As I am informed there were various stipulations which he proposed, and on which he insisted as indispensable to the transfer, if it took place. One of them was, that he should receive certain compensation; but whether that compensation was intended to take a direct pecuniary form I have no information. Another stipulation which I feel bound to mention after the remarks of the right hon. Gentleman, on which the King of Holland insisted, was, that the wishes of the people of Luxembourg should be consulted. The third, and, for practical purposes, the most important of all, was, that the consent of the Great Powers should be obtained—and especially the consent of Prussia. Now, Sir, Prussia, as the House is aware, possesses and claims to possess by special treaty the right of garrison in the fortress of Luxembourg; and both on that account and as a neighbour—and particularly as the head of the Confederated States of Germany—Prussia has a deeper and closer interest in this matter than any other European Power. When the matter came to the knowledge of the Prussian Government a communication was made by it to the other Powers which signed the Treaty of April, 1839. That treaty regulates the relations of Belgium and Holland, and guarantees Luxembourg to the King of Holland. One of these communications was addressed to Baron Beust, and another to Her Majesty's Government; and the latter was received by me on Sunday last. The right hon. Gentleman speaks of this negotiation as of an old date. [Sir Robert Peel: Last October.] I do not know what may have passed in secret; but all I can say is that no information reached Her Majesty's Government as to the transfer being in contemplation until about ten days ago. The Questions that were put to me by the Prussian Government were in substance two. One was, whether the British Government would endeavour to dissuade the King of Holland from going on with the negotiations supposed to be in progress; and the other was, what construction was put by the British Government upon the guarantee contained in the Treaty of 1839. As to the second of these Questions, I could not undertake to give a definite reply at once, for this reason—that it was obviously very desirable, if any representation or action were required to be taken on the Treaty of 1839, that such representation should not be the act of any single Power, but should be made in concert with the other Powers by whom that treaty was signed, and who equally with us were responsible. But I did not conceal a doubt (and I might use a stronger word) which existed in my mind as to whether the guarantee given by that Treaty of 1839 was one of a character to apply to the present case. And for this reason. That guarantee was undoubtedly intended to defend the interest of the King of Holland in his capacity of Grand Duke of Luxembourg, and to maintain the integrity of the territory. But, of course, if the King of Holland voluntarily surrendered his interest in Luxembourg, and was a consenting party to the arrangements made, his interest as contemplated by the guarantee ceased to be in question, and the matter which remained was a totally different one, between France on the one hand and Germany on the other. Now, neither by that treaty nor at any other time were we pledged to defend the integrity of the German Empire. Germany united, as she is now, and I am glad that she is so—united to an extent which has never before occurred, is perfectly capable of providing for her own defence. I do not think it would be easy to argue, although the right hon. Baronet's reasoning seems to point in that direction, that it is the duty of England to interfere to prevent a transaction which might result in some small aggrandizement on the part of France, when the Government and the people of this country have seen with entire acquiescence, and even, I believe, with approval, the enormous aggrandizement which has accrued to Germany, or rather to Prussia, as the head of the German States, within the last twelve months as the result of the late war. As regards the question whether we should dissuade the King of Holland from proceeding with this negotiation, my answer was that we had been informed—and subsequent intelligence has verified the presumption on which I acted—that the consent of the King of Holland was from the first made conditional on the consent of Prussia and on that of the people of Luxembourg. What may be the feeling of the people of Luxembourg I cannot undertake to say. But from the first I had a strong idea that the consent of Prussia would never be obtained. If these conditions were not fulfilled, the transaction fell to the ground. If the people of Luxembourg offered no objection, and if Prussia—the Power most interested in the proposal—gave her consent, it cannot be said that it was the duty of the British Government to interpose. That is the answer I gave provisionally on the part of Her Majesty's Government. There was no time for more detailed consideration, and there was no need for further expression of opinion on my part. As the House knows, yesterday information was received, not indeed at the time of an official or of an absolutely certain character, but which, nevertheless, bore marks of authenticity, and which I believed to be true, stating that the cession of Luxembourg had been relinquished by the King of Holland. I have had that statement confirmed by the representative of the King of the Netherlands, who called upon me this afternoon and authorized me to make that statement as coming from his Government. I think that is the end of the question as far as Holland is concerned. Whether or not it will put a final end to other questions which may arise out of it is impossible to say. If, however, they should be revived, they will be revived in a different form and under entirely different circumstances. It was in the late case supposed that the King of Holland was a consenting party to the transfer. That state of things is now entirely altered, and I do not, of course, pretend to say what will arise out of the new state of things which has arisen in consequence of his refusal. I have now related all the material facts, and I have done so more in detail than I otherwise should have done because every communication which I have received on the subject having been confidential, I am unable to lay the documents upon the table. But the House may rely upon it that I have given the whole facts of the case as they came before me. Further consideration has confirmed me in the conviction—a conviction in which the House will, I think, share—that we were right in declining to involve ourselves further in a transaction which might be, and still may be, productive of very serious consequences. No interest of ours was either directly or indirectly involved, and we stood absolutely free and unfettered. Sir, that is the whole case as far as it has gone. Something was said by the right hon. Baronet as to the security of Belgium. The security of Belgium is an entirely different matter. Upon that question we are involved in a guarantee solemnly and deliberately entered into. But the question as to the security of Belgium did not in the slightest degree arise during the course of the present transactions. I dealt with the subject as it arose, and I do not think that it is worth our while to go out of our way to anticipate difficulties which have not arisen and which probably never will arise.

Sir ROBERT PEEL: The noble Lord has omitted to answer one Question I put. I asked whether the relinquishment of the cession of Luxembourg was in any way owing to the representations of Her Majesty's Government. The noble Lord said that the Powers had agreed to make some joint representation. [Lord Stanley: No, no!] Pardon me. Russia has made a representation to the Government of France. I wish to know from the noble Lord whether Her Majesty's Government have made any representation to France or to Holland, with a view of inducing either or both of those Powers to relinquish this projected cession?

Lord STANLEY: I thought I had already answered that Question. With regard to any Russian protest against the transaction in question, I heard of it for the first time from the right hon. Baronet. No information has reached the Foreign Office of any action of that kind having been taken by the Russian Government. As to the abandonment of the cession of this province being due to any remonstrance on the part of the British Government, I thought I had stated that considering the cession proposed by the King of Holland was conditional, both upon the consent of the people of Luxembourg and of Prussia, and considering from the first that that consent on the part of Prussia was not given, and did not seem likely to be given, I did not feel myself called upon to make any remonstrance on the part of the British Government. The abandonment, therefore, of the project, if it be abandoned, is certainly not due to any action on the part of Her Majesty's Government.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

MARINE MUTINY BILL.

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Corry.*)

Mr. CORRY moved the second reading of this Bill. He said, that the Government proposed that it should be considered in Committee on Monday, when the clause relating to flogging would be amended, so as to agree with the Bill relating to the army. The House would then be asked to pass the Bill through all its stages, that it might be disposed of before Easter. According to the Returns received that morning, there had, in the last year, been only two cases of corporal punishment amongst the 9,000 Marines serving on shore in England.

Mr. OTWAY said, he should offer no objection at the present stage, because he understood that clauses to which he objected were to be amended in Committee.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

FORTIFICATIONS (PROVISION FOR EXPENSES) BILL—[Bill 104.]

SECOND READING.

Order for Second Reading read.

Sir JOHN PAKINGTON moved the second reading of this Bill. He disclaimed all responsibility on the part of the Government in respect of the fortifications referred to by the Bill. They had been projected entirely by the late Government, and it now became the duty of Ministers to see that the works were not left in an unfinished state. The progress which had been made in the science of defence had caused some additional and unforeseen expense to be incurred. No one, for instance, could have anticipated the necessity for plating the works at Portsmouth with iron, which was now considered advisable. £500,000 was required for this plating, and he was sorry to add that the Estimates had been exceeded by upwards of £100,000. Some purchases of land also were necessary. In order to cover this extra expenditure of nearly £700,000, it was proposed to abandon works at Chatham to the extent of £500,000, and at the central arsenal at Cannock Chase to the extent of £150,000. The Bill did not ask for any fresh money, but simply authorized the re-appropriation of this money, and he hoped there would be no unnecessary delay in passing it.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir John Pakington.*)

Mr. CHILDERS said, he hoped the Motion would not be pressed. The right hon. Gentleman had very fairly described the Bill; but his description showed that it dealt with matters of great importance, which demanded more attention than could be devoted to them at five minutes to one o'clock.

Mr. HUNT said, the only principle involved in the Bill was as to whether the money which it had been already agreed to raise for certain fortifications should be distributed in a different manner from what was originally intended. The money had already been voted. It was only now proposed to re-distribute it. That question could be easily decided, and he hoped the House would understand how exceedingly inconvenient it would be if the Bill were not passed before Easter.

Sir MORTON PETO moved the adjournment of the debate.

Sir JOHN PAKINGTON said, that if any discussion were desired it might take place in Committee. It was impossible for the Government to proceed with the works if the Bill were not passed. The Government inherited this Bill from their predecessors.

Mr. CHILDERS said, that although the Government might have inherited the works from their predecessors, they had not inherited the changes, and it was the new proposals which the House wished to discuss. He did not see how the Bill could be passed before Easter.

Motion *agreed to.*

Debate *adjourned* till *Monday* next.

ARREST FOR DEBT (IRELAND) BILL.

On Motion of Sir Colman O'Loghlen, Bill to abolish Arrest for Debt on Mesne and Final Process except in certain cases, and to amend the Law of Debtor and Creditor in Ireland, *ordered* to be brought in by Sir Colman O'Loghlen and Mr. Blake.

Bill *presented,* and read the first time. [Bill 110.]

EDUCATION OF THE POOR BILL.

On Motion of Mr. Bruce, Bill to provide for the Education of the poorer classes in England and Wales, *ordered* to be brought in by Mr. Bruce, Mr. William Edward Forster, and Mr. Algernon Egerton.

Bill *presented,* and read the first time. [Bill 111.]

House adjourned at a quarter after One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, April 8, 1867.

MINUTES.]—Public Bills—*First Reading*—Canada Railway Loan* (73); Sale and Purchase of Shares* (74).

Committee—Oyster Fisheries* (47); Mutiny.*

Report—Oyster Fisheries* (47); Mutiny.*

CASE OF THE "TORNADO."

POSTPONEMENT OF NOTICE.

The Earl of MALMESBURY: My Lords, my noble Friend the noble Marquess opposite (the Marquess of Clanricarde) having given notice of his intention to call the attention of your Lordships to the case of the *Tornado,* I would ask him whether it would not be better, if it should not be inconvenient to himself and to the House, to postpone the discussion of that question until after the Easter recess. My reason for offering this suggestion is that, as your Lordships are aware, additional Papers with respect to our relations with Spain, which have recently been laid upon the table, show that those relations have assumed a more serious and a more complicated character than that which they had previously presented. I allude, of course, to the papers with respect to the case of the *Victoria,* which appears to me to be of infinitely more importance than those which relate to the *Tornado.* In that case a British sailing vessel was seized by the Spanish authorities some fourteen or fifteen miles from the coast, and was then taken to Cadiz and ordered to be there broken up. Now, whatever may be said—and there may perhaps be arguments advanced upon both sides—with regard to the *Tornado,* it appears to Her Majesty's Government that there can be no palliation or excuse for what has been done with reference to the *Victoria.* It was a more than common outrage, because it was an outrage to a British vessel upon the high seas; and if such an insult was offered to the British flag the fact would be one of so serious a character that, as your Lordships will see from the papers, Her Majesty's Government have thought it necessary to take the gravest notice of it. No answer has as yet been received from the Spanish Government to the despatch of Lord Stanley upon the subject. In that despatch Lord Stanley has asked, as your Lordships must be aware, for compensation to the full amount for the loss sustained by the owners of the vessel, and for an apology to this country for the outrage offered to our flag. But as that demand has not yet been answered, I should be glad if the noble Marquess would not now raise that other question of the *Tornado*, to which he has given notice that he proposes to direct your Lordships' attention. I must add that when I remember the proverbial sense of honour which the Spaniards feel with respect to their own national rights, and when I bear in mind that if such an outrage had been committed on a Spanish vessel in the Channel, a cry of indignant remonstrance would have been raised from Cadiz to the Pyrenees, I am convinced that the Spanish Government, when they take the facts into their consideration, will not hesitate to afford that compensation and that apology which we have demanded, and will not throw the shield of their protection over the subordinate officers who have been engaged in this transaction. With this belief — and, indeed, I may almost say with this conviction—I trust that after the Easter recess we shall be able to state that the affair has assumed a less serious and less menacing aspect; while I should be afraid that if the noble Marquess were to raise any discussion at this moment in your Lordships' House, it would rather be prejudicial than beneficial to the negotiations which are taking place.

The Marquess of CLANRICARDE: Of course, when my noble Friend, speaking as a Minister of the Crown, says that it would be better upon public grounds not now to enter into a discussion with respect to our relations with Spain, I cannot refuse to accede to his request for postponement. At the same time, I wish it to be clearly understood that I do so under protest that those British subjects who are concerned in the question which I wish to bring before your Lordships shall not be made to suffer by reason of that postponement. If their case is made out, as I believe it eventually will be, and the Spanish Government shall find that its officers have been in the wrong, I claim that every British seaman who has been wronged, and the owners of the British ship which has been detained, shall be indemnified up to the last hour and to the full extent of the injury inflicted upon them. I can only express my satisfaction at the news we have all heard to day—namely, that the Mediterranean fleet has received orders to move from Malta.

The Earl of CLARENDON: I am happy to find that my noble Friend the noble Marquess has thought it consistent with his duty to comply with the request addressed to him by the noble Earl opposite (the Earl of Malmesbury); and I should be extremely glad if the result of the discussion which is to take place after the Easter recess should be to clear the owners of the *Tornado* of the suspicion that now attaches to them. There are so many facilities in this country for evading the law, and so many persons entertain so little scruple in resorting to those evasions, that I think the opinion with respect to their proceedings cannot be too strongly expressed, and that it cannot be too clearly known that those who, for their own private gain, disregard the Queen's proclamation, and violate the neutrality of this country in order to aid and abet one foreign Power at war with another, but with both of which England is at peace, do so at their own risk of being treated as belligerents by the State against which they are acting; and that as they thereby forfeit all claim to the protection of their own Government, so assuredly they will not receive it except in as far as may be necessary for the vindication of the principles of strict justice and of International Law. I will not at this moment and without any discussion of the question, affirm that the owners of the *Tornado* are in this position; but I think that if I were to enter into the case I should be able to show that great suspicion attaches to that vessel. With regard to the other case—the case of the *Victoria*—which is of a far graver and more serious character, I do not believe that there has existed any intentional hostility towards this country on the part of the Spanish Government. There seems no reason for believing it, for I have never known that Government to act in a hostile manner towards this country; and I have no doubt therefore that when the facts of the case become known to them, the satisfaction which we are entitled to claim will not be withheld. But, at the same time, I cannot help expressing my regret that the peremptory despatch written by my noble Friend at the head of the Foreign Office—a despatch which is, I think, perfectly justified by the circumstances of the case—I cannot help expressing my regret that as soon as that despatch was written it should have been published. Knowing as I do the susceptibility of the Spanish people, and the spirit by which they are animated, I am afraid that if it should be suspected that that publication was intended to threaten and coerce them, it may be difficult for the Spanish Government to give a satisfactory answer to the despatch.

THE MARQUESS OF CLANRICARDE: I wish to give notice that I will bring the case of the *Tornado* under the notice of your Lordships on the first day of the meeting of the House after the Easter recess. I must say I do not think it was quite fair on the part of my noble Friend near me (the Earl of Clarendon) before he has heard what there is to be said upon the matter, to state anything either for or against the owners of that vessel. He says that a suspicion attaches to them of having violated or evaded the law. Anybody who looks through the documents will see that they have had no fair trial, that our Foreign office has declared so, and that not one scrap of evidence has been given on that side of the question. But, more than that, I ask the noble Earl whether it is upon suspicion that British sailors are to be put in irons and ill-treated; whether it is upon suspicion that a British ship is to be seized upon the high seas, and British shipowners are to be branded in the way in which the noble Earl has almost branded them? If our Foreign Enlistment Act is defective, let it be made stronger, should that be deemed wise; but as long as British seamen and British shipowners obey the law and act honestly, no foreign Government should be suffered to treat them with cruelty or injustice.

EARL RUSSELL: I do not wish to give any decided opinion upon this occasion with regard to the case of the *Tornado.* But my noble Friend the noble Marquess and the House must see that there are two entirely different questions with respect to that vessel. One is the case of the owners of the ship—whether they were engaged in a lawful or in an unlawful trade; and the other is with respect to the treatment of the master and of the crew after her seizure by the Spanish authorities. With respect to the first case, I have no doubt that we shall hereafter hear from my noble Friend arguments in support of the views he has stated upon the question; and I reserve my opinion upon it. With respect to the case of the *Victoria,* I participate in the regret my noble Friend near me (the Earl of Clarendon) has expressed that Lord Stanley should have published his despatch within two or three days of the date which it bears. But that despatch having been published—and as I suppose with the consent of Her Majesty's Ministers—and the Spanish Government having had time to reply to it, I think that no delay should now take place in the decision of the question. As the facts appear, it is a case of great wrong against a British ship and against the British flag; and I trust that the Spanish Government will grant the redress which we demand of them. But if they do not, it is desirable that no time should be lost in deciding upon the course which it may be necessary to adopt for the vindication of the honour of the country.

THE EARL OF CLARENDON, in explanation, said, he was sorry to have excited the anger of his noble Friend (the Marquess of Clanricarde), and he could assure him that he had confounded two distinct things. He had not said that the Spanish Government had behaved well to these English sailors. He thought there was no justification for the great cruelty exhibited towards them in keeping them in irons and detaining them in custody, as had been done. He had said nothing whatever about that. His allusion was to the owners of the vessel, who, acting for their private gain, might get this country into trouble.

REPRESENTATION OF THE PEOPLE—METROPOLITAN BOROUGHS.

MOTION FOR RETURNS.

THE EARL OF SHAFTESBURY *moved* an humble Address to Her Majesty for—

> "A Return stating separately for each Borough within the metropolis the following particulars:—
>
> 1. The Estimated Adult Male Population:
> 2. The Number of Adult Male Householders:
> 3. The estimated Adult Male Population who are not Householders:
> 4. Reports from the Overseer of each Parish stating, so far as can be ascertained, the Proportion of Lodgers who pay for unfurnished Rooms 4*s.* a Week or upwards, and the Proportion who pay less than 4*s.* a Week:
> 5. Such Reports also to state the lowest weekly Amount per Lodger paid by any considerable Number of Lodgers within such Parish."

The noble Earl said, the Reform Bill would add something like 400,000 voters to the metropolitan constituency, and it was therefore very desirable to have such Returns as those he moved for.

THE DUKE OF BUCKINGHAM said, the Returns under the three first heads could be easily made; but the remaining Returns could not possibly be obtained with any degree of accuracy within a reasonable time. He therefore suggested that the last two paragraphs of the Motion should be omitted.

The Earl of SHAFTESBURY said, he would be content with the information proposed.

Motion amended and *agreed to*.

House adjourned at a quarter before Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, April 8, 1867.

MINUTES.]—New Member Sworn—George Morris, esquire, *for* Galway Town.

Select Committee—On Limited Liability Acts, Mr. George Grenfell Glyn *discharged*, Mr. Morrison *added*.

Public Bills—*Resolution in Committee*—Limerick Harbour.

Resolution reported—National Debt Acts.

Ordered—National Debt Acts.*

First Reading—Customs and Inland Revenue* [113]; National Debt Acts* [114].

Second Reading—Fortifications (Provision for Expenses)* [104], adjourned debate; Bill read 2°.

Committee—Representation of the People [79] [r.p.]; Marine Mutiny.*

Report—Marine Mutiny.*

Considered as amended—Policies of Insurance* [85].

Third Reading—Petty Sessions (Ireland) Act (1851) Amendment* [87]; Chester Courts* [108]; Marine Mutiny,* and *passed*.

CIVIL SERVICE EXAMINATION.

QUESTION.

Mr. HARVEY LEWIS said, he would beg to ask the Secretary of State for India, Whether he will lay upon the table of the House the system of marking proposed to be adopted by the Civil Service Commissioners at the Examination of Candidates for the Civil Service of India at the examination commencing on the 9th instant; and whether it has been proposed by the Commissioners to deduct a certain number of marks; and, if so, what number of marks on each subject before a Candidate can be allowed to count any marks to his credit?

Sir STAFFORD NORTHCOTE, in reply, said, no new rule would be adopted in the examination for the Civil Service of India, commencing on the 9th instant. The rules were the same as those adopted on the last occasion, stated in the Eleventh Report of the Civil Service Commissioners, and that was already in the hands of Members. The system of deduction was this—that 125 marks would be deducted from the marks of every candidate—except in mathematics, in which no deduction whatever was made—who did not in any branch of the examination attain the requisite number to allow them to count.

ECCLESIASTICAL COMMISSIONERS—DEAN AND CHAPTER OF WESTMINSTER.

QUESTION.

Mr. BENTINCK said, he wished to ask the Judge Advocate General, Whether he will, in accordance with the undertaking of the late Home Secretary, lay upon the table the scheme showing the terms upon which the Dean and Chapter of Westminster have transferred their Capitular Estates to the Ecclesiastical Commissioners?

Mr. MOWBRAY said, in reply, that the scheme to which his hon. Friend had referred was not yet so complete as to enable him to lay it on the table. If moved for he should have no objection to its production, and he would give his hon. Friend private notice when the scheme was in a proper state to be laid on the table.

DISTRESS IN POPLAR.—QUESTION.

Viscount ENFIELD said, he wished to ask the President of the Poor Law Board, Whether his attention has been officially called to the great and exceptional distress now existing in the Poplar Union; and, whether any Communication or Memorial has been received by him from the Guardians of the Poor of that Union or by the members of the Board of Works for the Poplar district; and, if so, whether he would have any objection to lay such Papers upon the table of the House, together with any replies that may have been sent by him to such Memorials or Communications?

Mr. GATHORNE HARDY said, in reply to the Question of the noble Lord, he had to state that his attention had been called by the guardians of the Poplar Union to the great distress existing in the district, and the weight of rates with which they were burdened. They had also stated that a memorial on the subject would be presented. He had not yet received that memorial; but when he did the Papers connected with the subject would readily be laid on the table.

MONUMENT TO THE DUKE OF WELLINGTON.—QUESTION.

Mr. GOLDSMID said, he wished to ask the First Commissioner of Works, When the statue of the late Duke of Wellington, for the erection of which in St. Paul's Cathedral the sum of £20,000 was voted in 1858, is likely to be finished and put in its place?

Lord JOHN MANNERS said, in reply, that it was a monument to the Duke of Wellington, not a statue of the Duke of Wellington which was to be erected in St. Paul's Cathedral. He had every reason to hope that the monument, which was one of the largest that had been erected in any church in England during the present century, would be completed in about two years from this time. He might state that in consequence of what had fallen on Friday evening from the hon. Member for Bath (Mr. Tite) and others, and the suggestions they had offered to him with reference to the buildings for the London University in Burlington Gardens, he had communicated with Mr. Pennethorne on Saturday morning, and requested him to make arrangements with the contractors, that the progress of the works be stayed for two weeks, so that the question of style should be further prejudged. He might further state that he understood the probable extra cost of changing the style of building would be between £7,000 and £8,000.

OUR RELATIONS WITH SPAIN.

QUESTION.

Mr. OSBORNE said, he rose to ask the Secretary of State for Foreign Affairs, If any official communication has been received by telegram or despatch from Her Majesty's Minister at Madrid relative to the seizure of the vessel *Queen Victoria* by the Spanish authorities; and, if the Spanish Government has complied with the terms demanded by the Foreign Secretary in his letter to Sir John Crampton of 30th March 1867?

Lord STANLEY: No, Sir; I have not received the answer of the Spanish Government.

Mr. DARBY GRIFFITH said, with reference to the answer which had just been given by the Secretary of State for Foreign Affairs, he would beg to ask, whether it is true that the Mediterranean squadron has proceeded with sealed instructions, it is to be presumed, to the coast of Spain?

Lord STANLEY: If the hon. Gentleman had asked me what were the orders given to particular vessels in the Mediterranean, I do not know that it would be my duty to answer him. I will only state that Gibraltar, being within the ordinary cruising-ground of the Mediterranean squadron, there is nothing unusual in the fact of one or two vessels being sent there.

TURNPIKE TRUSTS.—QUESTION.

Mr. HARDCASTLE said, he would beg to ask the Secretary of State for the Home Department, Whether, having regard to the proposed continuance of certain Trusts which were scheduled last year, he will introduce the Turnpike Acts Continuance Bill in sufficient time to allow a discussion as to the expediency of such continuance?

Mr. WALPOLE, in reply, said, matters would be expedited so as to enable the Turnpike Acts Continuance Bill to be laid on the table by the end of May.

PARLIAMENTARY REFORM — REPRESENTATION OF THE PEOPLE BILL— [Bill 79.]—COMMITTEE.

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Lord Stanley.*)

INSTRUCTION TO THE COMMITTEE.

Order for Committee read.

Mr. LOCKE: I wish to put a Question to the right hon. Gentleman the Chancellor of the Exchequer with regard to the Order of the Day for the Committee on the Representation of the People Bill. My hon. and learned Friend the Member for Exeter (Mr. Coleridge) has given notice of moving an Instruction to the Committee "that they have power to alter the law of rating." That was the first branch of the Instruction. Then it went on—

> "And to provide that, in every Parliamentary Borough, the occupiers of tenements below a given rateable value be relieved from liability to personal rating, with a view to fix a line for the Borough Franchise at and above which all occupiers shall be entered on the rate book, and shall have equal facilities for the enjoyment of such Franchise, as a residential occupation Franchise."

The Question I wish to put to the Chancellor of the Exchequer is whether, if the words after the word "rating" in the third line of the Instruction be withdrawn, he would be willing to accede to the proposal of the Instruction to the Committee that they have power to alter the law of rating.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I think that, as a general rule, it is very inconvenient to reply to hypothetical questions. Therefore, I hope the hon. and learned Gentleman will allow me to ask him whether he has any authority to state that the latter part of the Instruction has been withdrawn.

MR. LOCKE: I think, Sir, I may say that that is the case. On that understanding I understood that the right hon. Gentleman was willing to assent.

THE CHANCELLOR OF THE EXCHEQUER: I conclude now, Sir, that the latter part of the Instruction is withdrawn. I am sure that a Gentlemen of the hon. and learned Member's position would not make that statement without authority. Yet I think it would have been more Parliamentary if the author of the Instruction had put the Question, as he could have told us what were his intentions. But as I think that on an occasion like the present we should be precise, I will first read to the House the proposed Instruction that there may be no misapprehension or misconstruction as to my views. The hon. and learned Member for Exeter gave notice of his intention to move the following Resolution:—

"That it be an Instruction to the Committee that they have power to alter the law of rating."

And then it goes on—

"And to provide that, in every Parliamentary Borough, the occupiers of tenements below a given rateable value be relieved from liability to personal rating, with a view to fix a line for the Borough Franchise at and above which all occupiers shall be entered on the rate book, and shall have equal facilities for the enjoyment of such Franchise, as a residential occupation Franchise."

Now, Sir, I must observe, with regard to the second and more considerable part of this proposed Instruction—that is to say, the portion of it after the word "rating," which the hon. and learned Member (Mr. Locke) has informed the House has been withdrawn—that I must regret, for my own individual sake, that we are to be deprived of the advantage of the speech of the hon. and learned Gentleman the Member for Exeter upon the subject; because, although I have devoted no inconsiderable time to that part of the Instruction, I have hitherto been unable to put any definite meaning upon it. However, as it has ceased to exist, I will not pursue the subject. With regard to the first portion of the Instruction—

"That it be an Instruction to the Committee that they have power to alter the law of rating,"

I must inform the House that Her Majesty's Government, although they were no doubt in error, were under the impression that the Committee had power to take the subject of rating into consideration without any Instruction from the House. The noble Lord (Earl Grosvenor), who takes so much interest in this question, must have been under the same misapprehension, or he would not have given notice of his intention to move the Amendments that stand on the paper in his name. Therefore, on this point it is unnecessary for me—it requires no "pressure," however "gentle," to say that I think it will be for the convenience of the Committee if the first part of the Instruction be adopted. Perhaps now that I am on my legs, I may state, for the convenience of the House generally, and for that of the Irish Members in particular, that on the sitting of the House on Friday next, I will move that the House upon that day adjourn until Monday, the 29th instant.

MR. COLERIDGE: With regard to the latter part of the proposed Instruction to the Committee, which stands upon the paper in my name, and which the right hon. Gentleman states, that after having devoted much time to it he is unable to understand, I trust that, had it been necessary for me to have gone into the subject, I should, without the expenditure of much time or trouble, have had little difficulty in explaining it to the right hon. Gentleman. It was from no desire on my part to be otherwise than frank in my dealings with the House that I did not withdraw the second part of the Instruction myself, but simply from a misunderstanding of the forms of the House, and because the hon. and learned Member for Southwark asked a Question of the right hon. Gentleman without an understanding with me. [MR. LOCKE: That I deny.] Understanding from those ordinary means of information which Members of the House possess, that the right hon. Gentleman and those who act with him were willing to accept the first part of the Instruction, I have agreed to withdraw the second part of it. I may say that I never had it in my mind to disturb the peace of the Government or to oppose them in the passing of this measure. I have no desire to change the side of the House upon which we are so comfortably seated. Hon. Gentlemen may understand that when I say that I should regard it as a great misfortune if the Bill did not pass this Session. I say that with the most entire sincerity. As I understand that there will be ample opportunity in Committee to give effect if we choose—that is to say, if we can—to the latter part of the proposed Instruction, I have not the slightest difficulty in withdrawing that portion of it. I therefore now beg to withdraw that part, on the understanding that something to its effect will be introduced and fully discussed in Committee. I now ask leave to move the first part of the Instruction.

Mr. LOCKE: I wish to make one observation with regard to the statement that has been made by the hon. and learned Member. He says that I had no communication with him with regard to the Question I put to the right hon. Gentleman. All I can say is I asked him whether he would like to put it, or whether I should. I may further say that the hon. Member for Lewes (Mr. Brand) went out of the House to bring the hon. and learned Member in to hear me put the Question and to give an explanation upon it. I hope that the hon. and learned Member will acquit me, under these peculiar circumstances, of having acted toward him in any way which was unfair or not according to the rules of the House.

Mr. COLERIDGE: The hon. and learned Gentleman has misunderstood me. I never meant to say that he had acted in any way unfairly, or not according to the rules of the House. I was surprised at the expression of the right hon. Gentleman (the Chancellor of the Exchequer) in reference to my not having personally withdrawn the second part of the Instruction. All I meant to say was that I had no message from the hon. Gentleman; I did not understand what his question to me referred to; and I did not think there was any arrangement on the subject between us.

Sir RAINALD KNIGHTLEY: I wish, Sir, to move an addition to the Instruction of the hon. and learned Gentleman. I wish to move that the Committee have power to make a provision against bribery and corruption. In 1860 the House of Commons affirmed that the question of bribery and corruption should be dealt with simultaneously with any measure for the reform of the House of Commons. Last year the House, by a majority of 10 in a full House, affirmed that principle. The Chancellor of the Exchequer gave notice at the commencement of the Session that he would deal with this question, though not in the same Bill. We have now nearly reached the Easter recess, but no such Bill has been laid upon the table. I wish that the question should not be shelved, and if we are to have the question of Reform dealt with, I trust that measures will be taken for the excision of this black spot.

Mr. SPEAKER: I wish to point out the position in which the House is now placed. The hon. Baronet will do better to move his Instruction as a distinct Instruction. The Question before the House is, that it be an Instruction to the Committee to alter the law of rating.

The CHANCELLOR of the EXCHEQUER: I only wish to say, in reply to the observation of my hon. Friend (Sir Rainald Knightley), that the Bill of the Government relating to bribery and corruption is prepared. I should have brought it forward to-night had it not been that I did not regard it as desirable to interpose any Government business which might delay the discussion on the Motion of the hon. and learned Member for Exeter. I will, however, now arrange to bring forward the Bill on Thursday next.

Mr. NEWDEGATE: I trust I shall be excused if I express a hope that the Instruction of the hon. Baronet——

Sir GEORGE GREY: I rise to order. The hon. Gentleman is under a misconception. The Instruction has not been moved.

Instruction to the Committee, that they have power to alter the law of rating.—(*Mr. Coleridge.*)

Sir RAINALD KNIGHTLEY: I rise to move that the Committee have power to make provision to prevent bribery and corruption at elections.

Mr. OSBORNE: I rise to second the Motion. I do so because in the course of last Session when a similar Motion was made by the hon. Baronet, and hon. Members before me sat on the other side of the House, I took the same course. I so acted because I am seriously impressed with the importance of the question, and think that some Bill should be introduced for the further prevention of bribery and corruption. Since I am upon my legs, and as this may possibly be the last time on which the House will have the opportunity of discussing the principle of this Bill, I will, with the leave of the House, make a few observations upon it.

Mr. SPEAKER: The hon. Gentleman rose to second the Instruction; and if it be accepted or rejected, then there will remain a Motion that I do leave the Chair, upon which the whole subject will be open for discussion, and that will be the time for the hon. Gentleman to make any observations.

Mr. OSBORNE: Sir, I am obliged. I will content myself by merely urging the hon. Baronet to persevere with the Instruction which he has moved, and I will reserve what I have to say till the proper time.

Motion made, and Question proposed,

"That it be an Instruction to the Committee, that they have power to make provision for the prevention of bribery and corruption at Elections."—(*Sir Rainald Knightley.*)

Mr. NEWDEGATE: The hon. Member, by giving notice of this Instruction, has vindicated the course he pursued last Session as well as the course which those hon. Members took who voted with him. It has been said that the Motion was factious; but I am sure that I myself, and the Members who sit near me, voted *bonâ fide* upon that Motion. If the Government think it best to bring in a separate Bill upon the subject, when we have seen that Bill we shall be able to form an opinion of the adequacy of the provisions to remedy that which has become a blame and discredit to our whole Parliamentary system. But another subject has arisen to-night, and arisen out of the Report of a Committee with respect to the result of an election in Ireland; and I think that when the general question of bribery and corruption is considered, it will be well also that the subject of intimidation should be taken into consideration. I have represented a popular constituency for many years, and I have been in various conflicts, and although I never knew my friends to be intimidated, I have known attempts made to intimidate them. But if attempts should be carried to such lengths as they have been in the county of Waterford, so that voters have to defend their franchise at the risk of their lives, many will no doubt forbear to exercise their privilege. It is idle to suppose that the people of this country or of Ireland value their franchises less because they have been long able to exercise them peaceably. If a measure for an extended suffrage should pass this and the other House of Parliament, as it will not extend to manhood suffrage, it will be of the utmost importance that the non-electors should be satisfied that the electors are free to exercise the privilege and trust with which they have been endowed for the benefit of the whole community. It is important, particularly in reference to the non-electors, that it should be known that electors exercise the franchise free from intimidation, and also from those baser influences against the exercise of which the Instruction of the hon. Baronet is so well directed.

Mr. ESMONDE: I should not have ventured to address the House on this occasion; but the allusion that the hon. Member (Mr. Newdegate) has so unexpectedly made to the Waterford election has prevented me from remaining silent. I think that it would have been more respectful to the House, and that the hon. Member would have shown more fair play, if he had had—I was going to say the decency—but as perhaps that would not be quite a Parliamentary expression, I will say the courtesy to wait until the evidence taken before the Committee was in the hands of hon. Members. I challenge the hon. Member, when that evidence is in the hands of Members, to bring forward a Motion upon the subject. My able Colleague did not go into his defence at all. We had not a fair opportunity of making out our case because the hon. Gentleman who claimed the seat "funked the fight," and thus we were precluded from defence. I can tell the hon. Member that intimidation on the part of the people will not be the only sort of intimidation which we shall bring before the House if he will bring forward a Motion upon the subject. And not only intimidation, but perhaps we may also bring forward cases that may be included within the Bill that the Chancellor of the Exchequer proposes to lay upon the table on Thursday night.

Mr. GLADSTONE: The hon. Baronet (Sir Rainald Knightley) and also my hon. Friend (Mr. Osborne) have acted with perfect consistency upon this occasion. I may venture to call to the mind of the hon. Baronet that when he made a similar Motion last year I did not use any expression that was otherwise than consistent with my belief of the full integrity and singleness of purpose with which he was actuated. He has shown this again upon the present occasion; but I find myself under the necessity of pursuing the same course that I then pursued, and for the same reason that I then urged. I conceive that nothing can be more clear than the double proposition that the question of bribery and corruption is associated with that of Parliamentary Reform; and that though naturally and closely associated with it, it is more politic and convenient to treat the two questions in separate Bills. The proof of this is very simple. What we seek to gain in reference to Parliamentary Reform is of vast importance; and although it is desirable that we should be able to consider it free from party feeling, it is not practically easy to attain that object. Passion and prejudice will of necessity mix to a great extent with the discussions upon the Reform Bill; but in reference to bribery and corruption, we may hope to adopt some measure without party feeling. Upon this matter we have a general community of interest, and that being so, it is far better that we should treat the question by itself than attempt to pass a measure upon it in association with another subject, in regard to which the House will certainly be strongly excited. It is not therefore any indifference to entertain the subject, it is, on the contrary, my deep conviction of the importance of the subject, and of dealing with it speedily and effectively, that leads me to adhere to the course that the Government propose, that of dealing with it by a separate Bill. The Chancellor of the Exchequer at the commencement of the Session, when he proposed another Reform Bill, stated that he would include in it a clause in reference to bribery and corruption. I heard that announcement not with the least intention of opposing it, but with the belief that it would be wiser to have a separation between the two questions. I fully coincide with the Government in the belief that it will be best to have separate Bills, and therefore I cannot vote for the course proposed by the hon. Baronet.

Mr. DILLWYN: I hope that in one shape or another bribery and corruption will be dealt with by the House. I hope that the subject of intimidation will also be dealt with. I will even go further, and say that—though in what form I do not say—I want to see some provisions to protect the voter in exercising his franchise, apart from the question of intimidation. I should not have risen on this occasion but that I was a member of the Waterford Committee, the proceedings of which have been, I think, improperly introduced on this occasion. I am of opinion that it would have been more proper to wait until the evidence was before the House. I have only risen now to say that I cordially agree with the Resolution proposed, though I hope that it will on a future occasion take a wider scope. I hope that some definite steps will be taken to protect the voter in exercising his franchise. I do not say whether or not this should be done by the ballot, though I myself believe that this would be the most effectual mode of doing it, and I should be glad if the House took the same view.

The CHANCELLOR of the EXCHEQUER: In deciding to separate the subject of bribery and corrupt practices from that of Parliamentary Reform, Her Majesty's Government were under the impression that they were following the general wish of the House. The manner in which the matter should be approached they did not consider to be very important. I may remind the House that when I have brought in a Bill to deal with bribery and corruption, if they consent to read it a second time, it will then be in the power of the House to refer it to the Committee in connection with the Bill as to Parliamentary Reform. The only question is whether the matter being one that is deserving of serious consideration it would be better to deal with it separately. Still, the House can refer it to the Committee upon Parliamentary Reform if they think it necessary.

Mr. BARROW: I hope that we shall have full opportunity of considering what are the provisions for the prevention of bribery, corruption, and intimidation. I have the strongest wish that the question shall be decided, and also that we should know, before we pass the Reform Bill, what powers will be given for the suppression of these evils.

Mr. CLAY: It will be in the recollection of the hon. Baronet that when he last year proposed an Instruction similar to that which he now proposes I voted with him. I never regretted that vote, and I think that no Reform Bill will much improve our representation unless we can contrive to secure an approach to the absence at elections of that which every gentleman sincerely regrets. We have now a promise of a Bill upon the subject on Thursday next, and it is clear that the subject can be dealt with separately, at least as well as by treating it in the Committee upon the Reform Bill. At the same time, I must say that last year there was not only no Bill, but there seemed no way of bringing the subject under discussion except that proposed by the hon. Baronet. Under the circumstances, I urge him not to give the House the trouble of dividing on the present occasion, but to withdraw his Instruction, recollecting, after the statement of the Chancellor of the Exchequer, that the Bill to be proposed may be referred to the Committee on the Reform Bill.

Sir RAINALD KNIGHTLEY: Understanding that the right hon. Gentleman will bring in his Bill on Thursday, and that after it has been read a second time it may, if necessary, be referred to the Committee on the Reform Bill, I will withdraw my Motion.

Sir HENRY WINSTON-BARRON said, he would not have troubled the House on that occasion were it not for the observations made in reference to the late Waterford and Tipperary elections. But observations having been made of a character most injurious to the people of the county, with which he was connected, he thought it his duty to tell the hon. Member (Mr. Newdegate) that he had acted in a most unfair and improper manner in bringing that question before the House without knowing anything whatever of the merits of the case. The hon. Gentleman had talked of intimidation and coercion as having been practised at those elections. He (Sir Henry Winston-Barron) could tell him that there were two species of intimidation and two species of coercion. The one had provoked the other. It would come out when the evidence was published that men were dragged to the polling places by the orders of their landlords under military force, military coercion, military intimidation, aye, and police intimidation. Electors were thus dragged to the voting places against their will, their convictions, and their honest opinions, and some of them swore to those facts before the Committee. The whole evidence would soon be published, and then the House would see what the facts really were. He again told the hon. Member that he knew nothing whatever of the case. He no doubt took his opinions from *The Times* newspaper, for instance. He could tell the hon. Gentleman further, that a more garbled, a more offensive, and a more untrue statement never went before the public than that which had been published by the paper he alluded to. He felt that he would not be doing his duty to the House or the country if he did not denounce it as a tissue of calumnies and misrepresentations. He repeated that there were two species of coercion. When they had the evidence before the House it would be seen that the first and most material coercion was that which was practised in the attempt to dragoon the unfortunate voters into voting contrary to their consciences and convictions.

Major JERVIS said, he should not think it necessary to trouble the House on that occasion with any observations; but he had placed a notice on the paper a few days ago to call attention to the late elections for Waterford and Tipperary. He had not as yet fixed any day for his Motion. Though asked to bring forward the question before Easter, he had no wish to do so, first, because he was anxious that the evidence taken before the Select Committees should be published and in the hands of hon. Members; and secondly, because it appeared to him that the subject could be more fairly and impartially considered when the passions and feelings of parties in reference to this matter had had time to subside and cool down. He could assure the House that when he introduced the subject he would endeavour to treat it in such a manner as would afford an opportunity for a fair discussion on all sides, and a calm consideration of all the facts. He simply wished to invite the House of Commons to express its opinion upon the manner in which elections should be conducted in Ireland as well as in England.

Motion, by leave, *withdrawn.*

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Captain HAYTER said, he rose to move that—

> "All Parliamentary Boroughs having a less population than 10,000 persons, according to the Census of 1861, and from which the second seat be taken, shall be increased by adding either from the immediately surrounding district, or from one or more neighbouring Boroughs or Towns, a sufficient number of inhabitants to give every such Parliamentary Borough a population of not less than 10,000 persons."

He should not have ventured to bring forward this Amendment, but that he felt himself fortified by the opinions pronounced by the Chancellor of the Exchequer in his speech upon the Re-distribution Bill of last year, as well as by the views expressed by the right hon. Gentleman the Member for South Lancashire and the more distinguished of his Colleagues who took part with the Ministry of 1852 in bringing forward the scheme upon which this Motion was based. His object was to get rid of nomination boroughs, or of those which might be said to be represented by the nominees of great landed proprietors, whether Peers or Commoners. Now, that principle once admitted, he was willing to assent to whatever mode might be suggested as the best for carrying it out. Many hon. Members thought that the best way of carrying out this principle was by uniting unrepresented towns to existing centres of representation; whilst others thought that it would be better to divide them into purely agricultural districts. As to what boroughs should be augmented in size, and whence the electors for augmenting them should be obtained, were matters of detail which could be arranged by a Royal Commission. It became, however, his duty to call the most serious attention of the House to the fact that already out of twenty-three constituencies affected by the Government Bill, twelve would be converted into as pure pocket boroughs as the single seats unaffected by the Bill of Calne, Arundel, Wilton, and Eye. The twelve were Honiton, Thetford, Wells, Marlborough, Richmond, Leominster, Ludlow, Ripon, Huntingdon, Cirencester, Great Marlow, and Lichfield. Five of them would be the property of great Peers or Commoners holding Liberal opinions, and seven of Conservative. They were all, in addition to the single and pure pocket seats, unaffected by the Bill. If the disfranchising process were carried sufficiently high to make this a satisfactory scheme—say to the limit of 10,000 population—forty-five seats would be placed at the disposal of the Government. Among the fifteen double seats lying between the limits of 7,000 and 10,000 population he found the following constituencies, which would certainly become pocket boroughs:—Bridgnorth, Chichester, Chippenham, Malton, Poole, Stamford, Tavistock, and Wycombe; five of these would be the property of Liberal and three of Conservative Peers or Commoners. The total result was curious, since it told equally on either side; ten of the seats would remain in the hands of the Liberal and ten of the Conservative interest. But could that be justly called an improvement of the representation of the people which surrendered the Parliamentary representation of those boroughs to landed proprietors who already possessed, perhaps not unjustly, an overwhelming influence in them? It might be urged that the reduction of the franchise would work a change in these small constituencies not unfavourable to the growth of freedom of election. But the noble Earl, lately at the head of the Colonial Department, and his noble Friend (the Member for Stamford), had concluded that in these small constituencies household suffrage would be the universal rule, and that the new voters would altogether outnumber the old. In rural districts the compounder was unknown; and personal payment of rates everywhere prevailed. But could any one reasonably maintain that any alteration would counteract the influence of a landlord who owned the ground rents of half a borough, and who was not unjustly endeared to his tenants and neighbours? They were unacquainted with the actual state and condition of the compound-householders in these boroughs; but from such information as they had as to household suffrage pure and simple, the newly enfranchised constituency would outnumber and swamp the present. Peers or rich Commoners by the working of this Bill would engross to themselves the representation of twenty-four seats, which was a matter of serious and grave consideration, and unless steps were taken in time discredit would be thrown on what he considered the the best and wisest principle of re-distribution which had been proposed to that House. Upon this subject he would read to the House the opinions expressed last year by the present Chancellor of the Exchequer in dealing with the system of grouping. The right hon. Gentleman contrasted the plan of grouping unrepresented towns with the plan of grouping represented. And he said—

> "Am I therefore an opponent of the system of grouping? Far from it. I think it is one that well deserves the earnest consideration of the House; it is a powerful and an efficient instrument if used with vigour and discretion. But where I think it might be of great advantage would be if we were to leave the present boroughs alone, and yet avail ourselves of their redundant representation, applying the principle of grouping to our unrepresented boroughs. . . . By grouping in this way I think you would obtain a very considerable accession to the constituency; and I believe that if you dealt with the question in such a manner, you would have the friendly co-operation of the old boroughs themselves."—[3 *Hansard*, clxxxiii. 888.]

He endorsed those sentiments of the right hon. Gentleman. He well knew, from various sources, many unrepresented towns which might well be associated with those ancient boroughs which, as centres of representation, had held their place in the political system for 500 years. Some occurred to him at that moment—Newhaven to Lewes; Witham to Maldon; Workington to Cockermouth; Shepton and Glastonbury to Wells. All these had a natural affinity, as either the port of the small township, or the natural extension of municipal limits. In conclusion, he would call the attention of the House to the real value of those small boroughs, when so invigorated, to the better representation of the people. Many voices more eloquent than his had been raised to save them from reckless destruction. But those who could judge of the working of the legislative assembly of the nation knew well that unless the existing avenues by which men of distinction in every profession—in law, in arms, in our vast Colonial Empire were preserved, we should soon see that House, not the mirror and reflex of every opinion throughout our land, but separated into hostile camps and marching under rival banners, not to the improvement of legislation, but to everything that tended to hamper and impede the public business of our day. The small boroughs preserved this balance between parties, the two great parties, of the State, the one of which represented the agricultural, the other the manufacturing and commercial interests of our vast community. In conclusion, he appealed to the other side of the House as to whether such a system of natural grouping as he had described would not shield the small boroughs, for at least a generation, from ceaseless agitation and democratic attack. He asked the right hon. Gentleman the Chancellor of the Exchequer to rise above the tumults of party faction and the strife of the passing hour; and if he found in this method a means of settling the representation of the people upon a more satisfactory basis, and bringing the agitation upon Reform to a close, he would earn for himself and for his Colleagues a not undistinguished place in the brilliant roll of English statesmen whose names, for many generations yet to come, we should well know how both to cherish and to revere.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "all Parliamentary Boroughs having a less population than 10,000 persons, according to the Census of 1861, and from which the second seat be taken, shall be increased by adding either from the immediately surrounding district, or from one or more neighbouring Boroughs or Towns, a sufficient number of inhabitants to give to every such Parliamentary Borough a population of not less than 10,000 persons,"—(*Captain Hayter,*) —instead thereof.

The CHANCELLOR of the EXCHEQUER: The Question which my hon. and gallant Friend has brought before the House is one, I can assure him, that has not escaped our notice. It is, in fact, one that deserves consideration; but there are objections to it which have induced us not to adopt the scheme. I do not understand whether my hon. and gallant Friend intends one Member to be taken from each of the fifteen seats which would rank under the description of places with less than 10,000 inhabitants.

Captain HAYTER: I do not. The principle is equally applicable whether 7,000 or 10,000 population be the limit.

The CHANCELLOR of the EXCHEQUER: I should not be prepared to adopt the suggestion of the hon. and gallant Gentleman; because I do not think it can be adopted without its being pressed to a much greater extent, and that would lead, I fear, in the result to electoral districts. That I wish to avoid, if I possibly can, and to retain the ancient and distinctive character that still prevails, and which, even with all our changes, may be cherished in our representative system. I hope my hon. and gallant Friend will not ask us to divide on his Amendment. The hon. and gallant Gentleman has put it before the House, and no doubt hon. Members will consider it, and when in Committee on the Re-distribution of Seats, we can argue it more fully than now. The question has not escaped the attention of Her Majesty's Government; but, so far as we are advised, it is not a scheme that could be adopted with general advantage to the country.

Mr. YORKE said, that considering the important question that was nominally before the House, it was not expected that the House would be called on so early in the evening to discuss the Amendment proposed by the hon. and gallant Gentleman. It would be a pity for the discussion on this Amendment to close without the important principle which was involved being fully discussed. It appeared to him that without the proposed change the representatives of such small boroughs as survived the Reform Bill were likely to become more important persons than they had hitherto been in the representation of the people. If the cumulative vote, which appeared to receive the support of hon. Members opposite, should be carried, the result would be that the three-cornered constituencies would almost balance one another. Where there were two Members the minority would have equal weight with the majority. When any great question was before the country, the decision would virtually rest with the boroughs returning one Member. Supposing that scheme to be carried, he thought a very great addition should be made in the number of Members who sit for small boroughs. It was never intended to take more from the small boroughs than was required for the large towns which absolutely called for representation. The position of the Members for small boroughs was at present somewhat anomalous in the House. They appeared to exist by sufferance. Their position, if recognised and re-asserted by the passing of a Reform Bill, would be on a different footing to what it was before. If they wished to guard against the tide of popular agitation setting in after this Bill had passed against the small borough representation, the best way to secure themselves from such an attack would be to add to their number and position. Having an unpleasant recollection of the grouping scheme of last year of the right hon. Gentleman (Mr. Gladstone), he had no wish to refer to that part of the question. The addition to the numbers and respectability of the present constituencies would have a very great effect in securing them against the besetting vices of which they were accused. There would be less corruption, bribery, and intimidation. He agreed with the hon. Member (Mr. Bright) that there was a residuum that ought to be excluded. If they could not apportion more in accordance with justice the representation of counties and boroughs, the next best thing would be to extend the boundaries of the small boroughs, in order to give them a more independent class of population. This Amendment, which had been introduced by the hon. and gallant Member, had been included in the plan suggested in two schemes which had been brought before the House. He had not felt the necessity for the settlement of this question in the present year as strongly as many hon. Members. He had never been alarmed at the agitation which there was now such a desire to stop, and he feared in their haste they would be apt to settle many things besides this question, unsatisfactorily. He thought that the course which was recommended by the hon. and gallant Member was a step in the direction of a settlement. He knew no handle that was more easily used by agitators, or would be more likely to cause a renewal of the agitation after the passing of the Bill, than the numerical inequality that existed in small boroughs. He urged the Government to entertain the proposal contained in the Amendment.

Mr. SANDFORD said, this proposal was entitled to a much more serious consideration, on the part of the Government, than it seemed to be likely to receive. The President of the Poor Law Board told them that the Bill was founded on the Resolutions. But those Resolutions stated that they would only give an extended suffrage in connection with a plurality of votes, to prevent the undue preponderance of a class. The dual vote was now given up. Plurality of voting was not even thought of. Where, then, were the checks and counterpoises? The only way now of introducing them was by adding to the boundaries of small boroughs. He did not entirely agree with the Amendment of the hon. and gallant Member, because it involved the principle of grouping; but he thought it most desirable to add to the boundaries of small boroughs, as by this means bribery and corruption had been stopped. Shoreham and Retford were notorious for their corruption; but that state of things had been put an end to by giving them a widely extended area. There was also another argument in favour of extending the area of these boroughs, as it tended to remove the inequality of towns and counties. For these reasons, though he could not support the Amendment, he hoped the subject would receive further consideration.

Mr. LAING said, he merely rose to suggest to the hon. and gallant Member that he should withdraw his Motion. In the present state of the House, and after what had occurred, it was apparent that there was no chance of having the important principles involved in the Amendment properly discussed and decided by the House. He should support the Motion; but he would suggest to the hon. and gallant Gentleman, in the interest of the cause he sought to serve, that he should withdraw the Amendment, and introduce the subject at a suitable time in Committee.

Mr. WYLD said, he thought it would be very difficult to carry out the principle of the Amendment universally. In many of the southern agricultural districts in

England it would be found inapplicable. He agreed with the Chancellor of the Exchequer that there were many instances in which these ancient and peculiar boroughs should be preserved. The Reports of Commissions and Committees showed that large boroughs were as liable to intimidations as small ones. He hoped that when the Bill was in Committee the question of distribution of seats would be considered.

Mr. POULETT SCROPE said, he wished to know if this was the time at which he should propose the Motion standing in his name.

Mr. SPEAKER: The Question before the House is, that I leave the Chair. Since that Motion, an Amendment has been moved, and the hon. Gentleman cannot introduce the new Question of which he has given notice into this Resolution

Mr. POULETT SCROPE said, he wished to ask, was not the Resolution withdrawn?

Captain HAYTER said, before withdrawing his Amendment, he would ask the right hon. Gentleman the Chancellor of the Exchequer if he would consider the matter in Committee? If so, he would withdraw his Question.

Mr. WALPOLE said, the Chancellor of the Exchequer had already stated that the Question was no doubt a very proper one to be considered in Committee.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Original Question again proposed, "That Mr. Speaker do now leave the Chair."

Mr. POULETT SCROPE said, he rose——

Mr. SPEAKER: I have to point out to the hon. Gentleman that there is now no room to raise his Question. An Amendment has been negatived; and upon the Motion that I do now leave the Chair, no other Amendment can be proposed. But the hon. Gentleman can speak to that Motion.

Mr. POULETT SCROPE said, he believed he could put himself in order by moving the adjournment of the House.

Viscount CRANBOURNE said, the hon. Member would be in order in addressing himself to his Question.

Mr. ROEBUCK: Yes, if he makes no Motion.

Mr. SPEAKER: The hon. Member is at liberty to address the House, as I have already stated; but he cannot move an Amendment.

Mr. POULETT SCROPE said, his Amendment appeared on the Notice Paper in this form—

> "That it is expedient, by amendment of the Small Tenements Acts, or otherwise, to provide that the occupiers of houses under pounds annual value be wholly exempted from the payment of rates, and that those householders in Parliamentary Boroughs who occupy houses above that value shall alone be entitled to be registered as voters under this Bill; and such persons shall be so entitled, whether they are rated in person or that the rates in respect of the houses occupied by them be levied from the owners under the Small Tenements or any other Act."

He agreed with the Government Bill to the extent that he desired to see the establishment of a rating franchise. But there was a provision in the Bill to which he could not assent; he meant that by which the rating was to be a "personal rating." He did not see what object was to be gained by insisting on a personal rating. What was the distinction between a payment by one's own hand and a payment through the hands of the landlord? He could not recognise any distinction; much less could he see any constitutional principle. It appeared to him to be a distinction without a difference. If he took a house and agreed to pay the rates himself he paid a certain sum for rent. But if the landlord agreed to pay the rates for him, as was a usual practice, he paid a higher rent. Was there, then, any reasonable ground for saying that he was less fitted for exercising the privilege of voting for a Member of Parliament if he paid the rates through the landlord than he would be if he paid them to the collector himself? That the occupier of a compound house did pay the rates through his landlord was admitted on both sides. The right hon. Gentleman the Chancellor of the Exchequer had framed a clause for the purpose of giving the compound tenant who had paid his rates through his landlord the power of deducting the amount from his next rent. He had been a Reformer all his life; but another question arose as to whether it was not desirable to eliminate from the electoral roll under the Bill that lower stratum of occupiers who were very little above those actually in the receipt of parochial relief, and who generally were not, either from education or otherwise, fitted for the franchise. The Bill of the right hon. Gentleman would admit this class in all cases where the occupiers paid the rates themselves. In forty-four boroughs this would give an overwhelming majority to this lower class. There would be a partial preponderance in the same direction in ninety-eight other boroughs. The best means of preventing this evil would, in his judgment, be to introduce a clause to the effect that the occupiers of houses under a certain annual value should be wholly exempted from the payment of rates, and that those householders in Parliamentary boroughs who occupied houses above that value should alone be entitled to be registered as voters, whether they paid their rates personally or not. He believed that unless the Resolution he now proposed were adopted, the agitation for reform would continue and increase until it ended in universal suffrage. The only safe and satisfactory mode of settling the question was by granting the exemption which he proposed; and he especially commended it to the favour and support of hon. Gentlemen opposite, as a Conservative measure which ought to meet with encouragement at the hands of all who were opposed to universal suffrage. He also commended it to hon. Gentlemen opposite, who were sometimes called, or called themselves, the peculiar friends of the poor, as a plan by which they might relieve the poor from a tax which weighed heavily upon them, and at the same time settle the franchise on a safe, substantial, and satisfactory basis.

MR. BERKELEY said, he rose, in accordance with the Notice he had placed on the paper, to

> "Bring under the consideration of the House the state of demoralization in which the Electors of Great Britain and Ireland are plunged by corruption and the exercise of undue influence."

He might almost address the House as "beloved brethren," so united did all appear on Reform. Thirty years ago, when he first entered upon political life, he supported household suffrage and the ballot. The right hon. Gentleman the Chancellor of the Exchequer had now proposed the first; and he therefore was in hope that the time was not far distant when they would also have the second. All he desired on the present occasion was to bring under the notice of the House the grievances under which constituencies now laboured through the corruption and intimidation that prevailed. It was for Her Majesty's Ministers to provide a remedy. He thought no one would deny that among the first principles of our Constitution was this—that every man should vote freely and indifferently—that he should neither be rewarded nor punished for doing so. Having discharged that function the elector did all that was required of him. Blackstone, Lord Chief Justice Holt, Sir Edward Coke, Walpole, Burke, Macaulay, and many other great lawyers and statesmen concurred in the sanctity of the vote and the necessity of protecting the elector in the discharge of his duty. No hon. Member would oppose those leading principles. Then it followed that if the elector could not properly discharge this duty no Reform Bill should be brought into the House which did not recognise the duties of the elector and protect him in the discharge of his electoral functions. It might be said with regard to corruption that a Bill was promised on the subject. No doubt a Bill might be brought in. But suppose the Government were defeated on any part of the Reform Bill and went to the country, as it was called—were they to go to the country on the present system, and with the present defective law, which protected the intimidator and briber, and encouraged corrupt practices? It appeared from various reports that from forty to fifty boroughs had been convicted of malversation of the franchise. There could be no doubt that in all these boroughs corruption was rife. If, then, these boroughs were in this state of corruption—if corruption by bribery was an evil, how much greater an evil was undue influence? Undue influence carried with it the essence of bribery, the principle of rewards and punishments. It had been said by Lord Derby that if you take a number of the counties and the leading noblemen and gentlemen residing in them, it will be easy to say what the politics of the Members will be. That was an admission that the noblemen and gentlemen in counties dictated to the electors, and that the electors did not vote according to their own free will. They were sent to discharge a duty at the poll, and they did not do so because they were under the dominion of the landlord and were liable to be turned out of their tenancies. He hardly thought that that state of things could be desired by any honest man. It was not an exceptional matter, it was the rule. If evidence was wanted on that point let the House look at that taken before Mr. Grote's Committee, which sat to inquire into the abuses which had crept into our electoral system. Mr. Grote proved that the landlords of the country took infinite pains to degrade their tenants, and to deprive them of all inclination to assert their independence in political matters. Mr. Grote considered the intimidation and punishment of electors the giant malady of our electoral constitution, and Mr. Macaulay stated that he considered the master evil of our electoral institutions was undue influence. It had been shown in the case of an estate, which changed hands three times, that when it belonged to a Tory the tenants voted for a Tory candidate, that when it belonged to a Whig the tenants voted for a Whig candidate, and that when it returned to a Tory the voters again voted for a Tory. Take the case of the Duke of Newcastle, who turned seventy men out for voting against his wishes. The noble Duke on that occasion said that every man had a right to do what he liked with his own. No doubt that was the case, and if the tenant had been landed property he might have disposed of him as he liked. If the vote of the tenant were to be the landlord's property, it would be infinitely better that he should possess it actually than that it should be given to the tenant. Let the House look at a more recent case —that of the Duke of Somerset. A more gross instance of undue influence had never been brought to light than that which had been reported by the Totnes Commission. The excuse of the noble Duke in that case was that whilst he was busily employed in building ships and making guns he knew nothing of the proceedings of his agents. One of the Commissioners asked the noble Duke whether he had not purchased a certain estate, and whether that did not give him a certain accession of power? His reply was that the fields which had voted one way before had, when purchased by him, voted another way, showing that, in his opinion, the electors had nothing more to do with their votes than the clods of the field. What had been done by the Duke of Somerset as to interference at elections had been done by a great many other Peers. No Reform Bill would be satisfactory which did not contain provisions to protect the voter in the exercise of his just right. He admitted it might be difficult to legislate against undue influence. The late Sir Robert Peel and Lord Macaulay had admitted the difficulty; but he hoped the majority of the House would, notwithstanding, endeavour to find a remedy, since the present law was a complete failure. He was satisfied that the voters in England required protection. But if the electors of this country required protection, those of Ireland stood in need of it still more. He did not believe that bribery prevailed there to the same extent as here; but undue influence was exercised to a degree perfectly frightful. Between the landlords and the priests the electors of Ireland were in a miserable condition. Scotland was better off in both respects than either England or Ireland. He earnestly pressed upon the Government to give the people of England some relief in this matter.

MR. GORST said, that the sudden collapse of the debate, which had been expected to last till Easter, had taken most Members by surprise, and he thought he was only doing his duty in moving the adjournment of this debate. Hon. Members, he thought, would admit that the subject on which the hon. Gentleman who had just spoken, and several other subjects which had been brought before the House, had not been debated with that earnestness and attention which their importance called for. Several hon. Members had given notices of important Questions on the Speaker leaving the Chair. This was the last opportunity hon. Members would have of discussing the whole question of Reform; and he thought that the present debate ought to be adjourned to another night, in order to give Members an opportunity of expressing their views. He believed that the hon. Member (Mr. Osborne), and others, had come down with the intention of addressing the House; and if the Question that the Speaker leave the Chair should be forced on the House, those hon. Members would not have an opportunity of making their opinions heard. He moved the adjournment of the debate.

THE CHANCELLOR OF THE EXCHEQUER: I hope my hon. Friend will not persist in that Motion. I freely admit that there has not been that general and sufficient discussion upon a question so important as Parliamentary Reform that I, myself, could have wished; but that has been occasioned by a variety of circumstances upon which it is now unnecessary to dwell, and which it is more easy to regret than to remedy. If this Motion for the adjournment is carried, you, Sir, will not be able to leave the Chair, and we shall not be able to make that first step in advance which is desirable. I must, Sir, take this opportunity of expressing to the House the deep gratification experienced by the Government and their gratitude for the generous and candid manner in which they have been treated by the House to-night. It shows that the House is resolved to support the Government in carrying this Bill through, subject, of course, to those Amendments which the House may think proper to adopt. I am convinced, after the encouragement we have received this evening, our discussions will terminate in the passing of a Bill that will command the respect and confidence of the country. On the part of the Government, I wish distinctly to express their sense of the generous candour with which they have been treated by the House.

Mr. OSBORNE: Sir, I feel very sensible of the great disadvantage under which I rise to address the House on the present occasion. It is one of the pleasures of belonging to a united party that you should be informed only at the eleventh hour, on the eve of discussing a great question, that the political Epicureans of that party, who are tired and sick of the clamour and strife caused by a Reform Bill, are ready to pass any measure so that they may have a quiet life. But I think it rather an extraordinary thing that those enthusiastic Reformers should have waited until Monday, knowing well on the Friday what was to be brought forward, and that they should have suddenly turned tail when they heard that a dissolution was in view. The position is a most peculiar one. We are now to go into Committee on a Bill, the policy and principle of which have hardly been discussed in the House. The House will recollect that the second reading was shuffled through *pro formâ*, with the understanding that a discussion should take place upon the principle of the Bill before you, Sir, left the Chair. I ask hon. Gentlemen—let them agree with me or not—whether they are satisfied with the position in which this Bill stands at present; whether they are so eager as to pass a measure of any kind in hot haste without knowing or discussing the principles of that measure? There are many principles in the Bill which the House is entitled to question; nor have the difficulties of the subject been smoothed by the course pursued by Her Majesty's Government. Her Majesty's Government have displayed as much vacillation as the House has displayed forbearance. What was the course taken by Her Majesty's Ministers on the opening of Parliament? We know that there was a paragraph on the subject of Reform in what is called "Her Most Gracious Majesty's Speech." But Her Majesty's Government were not prepared with any definite scheme or plan. What happened? The right hon. Gentleman the Chancellor of the Exchequer came down to the House and made a long voluminous speech. Nothing came of that, but a week after was produced a bundle of Resolutions. What happened to those Resolutions? That litter of Resolutions, as I may call them, were ushered in with as much pomp and circumstance as they were abandoned with celerity and confusion. In what position do we stand, now that two months of the Session have expired? We have had this bundle of Resolutions and two Reform Bills brought under our notice. It is not necessary for me to refer to Reform Bill No. 1, because the circumstances attending its birth and sudden extinction were graphically related by the right hon. Baronet (Sir John Pakington) to his constituents at Droitwich. That Bill shared the fate of the thirteen Resolutions. It followed them to the mausoleum of defunct Government schemes. And now the Government have recurred, and with great success, to what is called "their original policy." The House has been induced to give a second reading to a Bill which no Gentleman on either side approves. However much the Conservative party as a body dislike it, the Liberal party distrust it as much. And all this because the right hon. Gentleman was so profuse in his promises that he was ready to amend the Bill and to bow to any suggestions that might be made in Committee. Hon. Members on this side left the House under the idea that they had gained a great victory, and such was the dazzling pyrotechnical display of eloquence on the part of the right hon. Gentleman, that hon. Members on the Ministerial side of the House were under the impression that they had gained a great victory too. And what is the consequence? Parliament has been bamboozled, and we are going into Committee on a Bill which no ten Members in their secret-hearts like. Sir, I humbly think that in the grave position in which we are placed we ought to seize this opportunity, however late, to come to some understanding as to the principles on which this Bill is based. The right hon. Gentleman the Chancellor of the Exchequer has lately given an answer in Downing Street to a chosen few, which he expressly refused to give in this House. He was questioned by hon. Members on this side of the House, and also by a noble Lord, his late Colleague (Viscount Cranbourne), on the other, as to what were the vital points of his measure. He refused to give an answer, and the noble Lord (Lord Stanley) also refused. On Saturday last, however, waited upon by a crowd of admirers from Manchester and the districts in Lancashire, the right hon. Gentleman disclosed the vital points of this measure. We all know now what they are. The vital points of the Government Bill are personal rating, and I suppose residence. Everything may be given up but personal rating and two years' residence. Sir, I was not inclined to take what is called a factious course when the Bill was introduced. Indeed, I recommended that it should be read a second time. I am ready to do penance for having given such foolish advice. What is this Bill, which since it was printed has proved, I am sorry to say, like many of my acquaintance, for the more I know of it the less I like it? It is a Bill founded altogether on false pretences. Pretending to extend the suffrage in one direction, it effectually restricts the suffrage. It is an attempt, and a very successful attempt, to throw dust in the eyes of the Liberal party, and it is a Bill which, as we have seen to-night, has put salt on the tails of forty-eight Liberal Members. What are the provisions of this Bill? I find that they contemplate what is now called by right hon. and hon. Gentlemen on the Treasury Bench an extension of the franchise, but what when in Opposition last year they termed a degradation of the franchise. They provide also for voting papers. Last of all, though it is now struck out, this Bill contained that unfortunate blunder founded on the fatal fifth Resolution. I mean the dual vote, which, like the fifth proposition of *Euclid,* has proved the *pons asinorum* of the Treasury Bench. And what are the clauses? I am prepared to show what they are, and I will not trespass long, for the House, I am aware, is not in the humour to listen. Almost every one of these clauses has been denounced and ridiculed by the right hon. Gentleman the Chancellor of the Exchequer and his Colleagues. On the 26th of March, 1852, Mr. Hume proposed a lodger franchise, one year's residence, payment of rates, and household suffrage, and how was that Bill treated? The Chancellor of the Exchequer stigmatised that proposal as a "revolutionary recommendation." That was, then, his alliterative mode of describing household suffrage. In the year 1867 part of that scheme has become a "Conservative construction," and hon. Gentlemen opposite, like the "Dupes" of the French Revolution, have hailed this "revolutionary recommendation"—as it was called in 1852—as a great Conservative measure. But was the Chancellor of the Exchequer peculiar in that view? There is a right hon. Gentleman who was absent the other night when it was alluded to, and therefore I may as well take the opportunity of refreshing his memory now he his here—a right hon. Gentleman who has lately been promoted to the Secretaryship of State for India (Sir Stafford Northcote), and what was his opinion in 1866 of the scheme which is now brought in? It was quoted the other night; but, unfortunately, it was in the absence of the right hon. Gentleman, and perhaps, since it is very short, the House will allow me to read it again, for it is well to read these things when we have this recent penitence before us. Here is the deliberate opinion of the right hon. Gentleman upon this "Conservative construction"—

> "He was obliged with the utmost sharpness and definiteness to say that he thought to descend to household suffrage at once or at any time, with any safeguards whatever—"

"with any safeguards whatever," and there was no dual vote proposed then, for this was on the educational franchise of the hon. Member for Hull (Mr. Clay)—

> "would be a most mischievous and reckless innovation of the Constitution."—[3 *Hansard,* clxxxiii. 1534.]

[Sir Stafford Northcote: Hear, hear!] Is it possible? Has the right hon. Gentleman arrived at such a frame of mind that he can say "Hear, hear!" to this? Well, after this there is really no telling what a Member for Devonshire and a Secretary for India may not do under these circumstances. Well, Sir, we have also a proposal for taking votes by voting papers. Now, I remember a discussion in this House in 1852. I have the paper in my pocket; but I will keep it until we get to that part of the Bill in Committee.

This proposal was then denounced by the noble Lord (Lord Stanley) as a project which would increase bribery and corruption. But there is a recent adherent and convert to the Government; and if the House will allow me I will read what I call a choice specimen of personal rating on the part of a noble Lord (Lord Robert Montagu), who about four weeks ago, from the opposite corner, put some very awkward questions to the Chancellor of the Exchequer, but who has now gone through the glorification of being transferred as Vice President of the Council to the Treasury Bench. Here is what the noble Lord said last year, and they are so pat one would almost think he was addressing the present instead of the late Chancellor of the Exchequer—

> "It would seem as if the Chancellor of the Exchequer had set himself down to contrive a plan for swamping the agricultural constituencies. . . . . Did the Chancellor of the Exchequer suppose that by lowering the franchise he would increase the check which the House of Commons now exercised in the administration of affairs? . . . . Did the right hon. Gentleman think he would check bribery by lowering the franchise in boroughs?"—[3 *Hansard*, clxxxii. 74.]

The noble Lord then grew poetical, and shaking his finger at the then Chancellor of the Exchequer—will he shake his finger now?—he continued—

"Men faithless once are ever faithless men,
Give them but scope, they soon will turn again."

But that is not all. The noble Lord concluded an animated speech—though it was not so much appreciated as it ought to have been, for I remember that there was barely a House, but the oratory of the noble Lord always enchains me—he concluded thus—

> "The Government having before abandoned their character in order to gain their power would not now part with their power in order to regain their character."—[3 *Hansard*, clxxxii. 1283.]

These, Sir, are the sentiments of noble Lords and right hon. Gentlemen who opposed tooth and nail a Bill which was offered by their opponents, and who now come down to the House with a Bill of their own, and talk of patriotism and ask for forbearance. I give them credit, at least the higher members of the party, for patriotism; but I cannot think they are entitled to that forbearance which the House, it seems to me, has been rather lavish in the bestowal of. The Chancellor of the Exchequer at the beginning of the Session disclaimed the idea that in bringing forward his Resolutions as a tentative process he was angling for a policy. Now, I take it that angling for a policy is to some extent a tentative process, though it may be a fair and legitimate Parliamentary practice. But there is a species of fishing which is neither fair, sportsmanlike, nor legitimate. My hon. Friend (Mr. Bright) is, I believe, a salmon fisher, and knows to what I allude. There is what is called cross fishing, where a line is used with different coloured flies, and where both sides of the stream are swept. Now, the right hon. Gentleman and his Colleague the President of the Poor Law Board (Mr. Gathorne Hardy) have lately been employed in this unsportsmanlike transaction. They have been fishing both sides of the Parliamentary river, and we all know with what success they did so the other evening. The President of the Poor Law Board skilfully threw his flies over the head of the hon. Member for North Lincolnshire (Mr. Banks Stanhope). He threw the dual vote, the two years' residence, and the counterpoises, and declared that this is a Conservative Bill. That declaration secured the hon. Member. This solitary fish rose on the occasion and was safely gaffed and landed. Then there came the right hon. Gentleman the Chancellor of the Exchequer, who threw the fly—not a real fly, but a false fly—of household suffrage down below the gangway on this side of the House, and immediately the hon. and learned Member for Sheffield (Mr. Roebuck) gorged the bait and was safely landed in the Ministerial basket. Such has been the process which has been going on, and now, forsooth, the Chancellor of the Exchequer has given up the use of the rod and has taken to the net, in which he has caught forty-eight ultra-Reformers on this side. This is the way in which the House of Commons and the constituencies of the country have been bamboozled by the Government in their endeavour to pass a Reform Bill which nobody approves, with which nobody is content, and which everybody would like to throw out. How is it that those forty-eight Gentlemen to whom I have referred have been caught? It is because they are afraid of their seats, and dare not face their constituents. I know that it is not a pleasant process to be obliged to vacate one's seat; but, at the same time, I would much sooner be turned out of my seat for an honest and straightforward course of action, than continue to hold it by resorting to subterfuges. The right hon. Gentleman the Chancellor of the Exchequer tells us that this Bill is supplementary to the Act of 1832. If it be, why not stick to the old form and model of the Act of 1832—to rental, which was made the basis of the franchise in 1832? Instead of that, the right hon. Gentleman, in his supplementary Bill, introduces a totally new principle—that of personal rating. This question has never been discussed in the House, though it seems to have been received by Reformers generally, and by the forty-eight ultra Reformers in particular, with a sort of placid content. They have accepted what was called the "unerring instinct" displayed by the House last year, and not a word has been said for rental. Nevertheless, I believe that there are a considerable body of Members anxious to take a division on the question between rating and rental, and they are not content to see introduced, in a Bill described as supplementary to the Act of 1832, which based the franchise on rental, the new theory of rating. But we are told that the House itself arrived in the course of last year at the principle of rating by "unerring instinct?" Now, what was the whole history of this "unerring instinct?" It was nothing more or less than the instinct of a majority of 11 on an Amendment moved by an Irish Member, the noble Member for Galway (Lord Dunkellin). Some timid Liberals and bolder Tories succeeded in turning the Government out. The question as between rating and rental was never discussed, not even by the President of the India Board (Sir Stafford Northcote), who can give such strong opinions when he pleases. Not one of the Gentlemen on the Treasury Bench opposite —for they were too wise in their generation—spoke on the subject. They were content to see their work done by the noble Lord the Member for Galway, and by another noble Lord—a Scotch noble Lord (Lord Elcho). Seeing their work done by a Scotch and Irish contingent, not a word did they say; and so the "unerring instinct" of accepting rating was simply the instinct to throw out the Government, and seat themselves in their places. I therefore maintain that there has been no satisfactory discussion as to whether rental or rating should be the basis of the franchise. I wish to see the franchise based on rental, and rental alone. And why do I wish it so to be based? If I want arguments in my favour I can easily procure them from the armoury of the Gentlemen who sit upon the opposite Benches. And what were the arguments always adduced with respect to rating? The arguments against basing the franchise on rating are that it is impossible to have an equal assessment all through the country, and that there would be danger from rating of placing the franchise at the mercy of political associations and of parochial authorities, who may or may not be political partisans. I will give you the high authority of one who has studied this particular question, and who in 1859 said—

> "There is a wish—I would once have said a very general wish—that instead of the household suffrage being founded on value, it should be founded by preference on rating. . . . I confess that I was always much biased in favour of that idea. It appears to me if you could make —to use a common phrase—the rate book the register, you would very much simplify the business of election. But when you come to examine this matter in detail in order to see how it will act, you will find it is involved in difficulties—great, all acknowledge, and, I am sorry to be obliged to confess, to my mind insurmountable. For the purpose of securing the advantage of having the rate book the register, you must, of course, leave perfect discretion to the overseer. The overseer has an interest in raising rates people may say, or he may be a very hot political partisan. Are you prepared to leave to the overseer the absolute discretion of appointing those who are to exercise the suffrage? . . . Unless you permitted the overseer to be unchallenged, you could not make the rate book the register."—[3 *Hansard*, clii. 982.]

That was the opinion of the Chancellor of the Exchequer in 1859, and I think that his arguments go very far to justify the remarks I am making as between rating and rental. But we are told that certain new clauses have been brought up. I must say that I never saw a Bill so badly drawn; and what is the effect of these new clauses, which were only laid on the table on Saturday last? They have no effect at all. They will only influence those boroughs which are under the Small Tenements Act, or some local Acts, and they will infallibly give occasion to the creation of a multitude of fagot votes. This Bill, in fact, promotes the predominance of wealth, and paupers will be put on the register by wealthy men and political associations. Hon. Gentlemen would admit this if they examined the blue book so largely quoted from last Session, containing the evidence given before a Committee of the House of Lords appointed to inquire into the probable increase of electors from a reduction of the elective franchise. Mr. Sidney Smith, secretary to the Registration Society, was summoned before that Committee, and he stated—

> "You would greatly increase the power of poli-

> tical associations by making any provision by which individuals would have to take trouble to keep themselves on the register, and would *pro tanto* disturb the natural expression of public opinion.

Such is the tendency of this Bill, and alter it in Committee as you may, it will still give a powerful impetus to bribery, corruption, and intimidation. In my mind, there are only two modes of dealing with the Bill. One way, which, perhaps, would be more agreeable to the hon. Gentlemen below the gangway, would be to strike out the ratepaying clauses, and come to household suffrage pure and simple. ["Hear, hear!" *from some Opposition Members sitting below the gangway.*] Well, I do not complain of that; probably, I might even support those hon. Members who are sure to be in a minority; for neither the country nor the House of Commons would stand these extreme doctrines. There are Gentlemen who are sufficiently enthusiastic even to figure in minorities, but I hope they will remain there. The other way has already been suggested by my hon. Friend (Mr. Poulett Scrope), and is well worthy the consideration of the House. The "Instruction" has gone to keep company with the dual vote, and I can say nothing about it. But I believe that if the figure named in it had been £5, it would have let in 200,000 more voters than the Government Bill, and if £4 had been the figure, double that number would have been admitted. However, that is gone. *De mortuis nil nisi bonum.* But what is now the position of the right hon. Gentleman the Chancellor of the Exchequer? When we last debated this question he was, with suavity and condescension, ready to accept hints from anybody. Suddenly, however, he boils up on Saturday at his private meeting with a public reporter, and says that he will die in the last ditch for personal rating. He pledges the existence of his Bill and the Government together on that ground. This declaration was never made to the House of Commons—grateful as the right hon. Gentleman has expressed himself to the House of Commons—and I think he has a great deal to be grateful for. Why was not that declaration made in the House of Commons? That announcement was reserved for his uproarious supporters from Manchester. But I want to know what has been the origin of this? Has he discovered or has he not that any Instruction such as was going to be offered to-night is not for the interest of the Conservative party? I am in possession of a very curious paper; I do not know whether I should read it to the House. ["Read, read!"] Oh, if you press me, of course I must. But I must tell you, Sir, and the House in general, that it is a confidential communication—not given to me confidentially, but given to me by a Conservative Friend who does not altogether agree with the right hon. Gentleman the Chancellor of the Exchequer, because he says he is a Democrat. The communication is dated, very appropriately, "April 1, 1867," and headed "confidential," and addressed to the agent of a certain borough in the North of England—a Tory agent, of course—at least, I do not know what he is, for it is very difficult in these times, when my hon. Friend below me is actually appearing, to a certain extent, in Conservative colours, to say who's who and what's what. But here is this confidential communication. I will read it for the benefit of the country Gentlemen on this side of the House. It is as follows:—

> "6, Victoria Street, Westminster Abbey, S.W.
> My dear Sir,—You are aware that the Reform Bill of the Government proposes to give the franchise to all occupiers for two years of dwelling-houses (only) in boroughs who personally pay the full tenements rate (not the compounded rate), and without reducing the Small Tenements Act. Notice has been given in the House of Commons by Lord Grosvenor of a proposal to reduce the limit of the Small Tenements Act from £6 to £5, and to give the franchise only to occupiers at or above a £5 rating. It is probable that such a qualification would not be limited to dwelling-houses only, but extend to shops and buildings with land, as in the Act of 1832.
>
> "I should be exceedingly obliged if you would let me know by Friday morning which of these two proposals would work most favourably in the Conservative interest in your borough, and which, in your opinion, would be the most likely basis of a permanent settlement.—I am, dear Sir, yours very faithfully, W. SPOFFORTH."

[*Ministerial cheers, and laughter.*] Yes; but you will mark the words—"in the Conservative interest." I think that was a mistake of the right hon. Gentleman in drawing that letter—for I have no doubt that he has drawn it, because it is signed by the confidential agent of the Conservative party. But I want to know, has the right hon. Gentleman made that declaration that personal rating is the vital point of this Bill with two years' residence because he thinks it is for the interest of the Conservative party, and will form "the most likely basis of a permanent settlement?" Sir, I do not know what the interest of the Conservative party is as opposed to that which we hold on this side of the House; but I feel convinced of this—that this Bill, with personal rating and two years' residence, cannot, and will not, form a permanent basis, and instead of settling and fixing the franchise will only renew agitation. For this reason, I am opposed to going into Committee on this Bill. I know it is no use saying so; but I must be allowed, having a strong opinion on this Bill, and not being frightened at the threat of a dissolution, to express that opinion. I am aware there is a section of this House amiable, intelligent, and confiding—men who spent a great deal of money on their last election, who are somewhat dazzled by the *ignis fatuus* presented to their eye in the shape of household suffrage. They are now, alas! cajoled into thinking that the right hon. Gentleman the Chancellor of the Exchequer is the Veiled Prophet of Democracy. Therefore, they are ready to follow him into that "Serbonian bog"—as he described it—a Committee of this House, in the hope that they will find a secure resting-place for their foot in household suffrage. But they will not get the better of the right hon. Gentleman. He will make use of them for his own purpose, and these Gentlemen, forty-eight in number, will be treated as the thirteen Resolutions were treated. When they are done with they will be put aside. But I must say that it is not creditable to the great parties in this House, whether they sit on this side or that, that we should be cajoled into passing a Bill which we well know offers no settlement of the question. Sir, great forbearance has been shown. But I shall ever regret that the right hon. Gentleman (Mr. Gladstone) did not test us to see what his party are made of. For my part, I would sooner have been in a miserable minority than be reckoned among a party who never know their own mind and are cajoled into passing a measure, not because they think it a good measure—not because they think it will lead to a settlement of the question, but merely to put off the evil day. Sir, however anxious I may be to pass a Reform Bill this Session, I, for one, would much sooner see the Bill, if a bad one, postponed to another Session than pass an imperfect and incomplete measure. Sir, I have taken the liberty of making these observations before you leave the Chair. I repeat, I have a strong opinion on the subject; but I hope I have not expressed myself in stronger terms than the occasion warrants.

Sir STAFFORD NORTHCOTE: Sir, I should certainly not have ventured to intrude myself on the attention of the House but for the personal notice I have had from the hon. Gentleman in the course of the somewhat amusing speech he has addressed to the House. I saw it reported that when I was absent the other day from indisposition an hon. Gentleman referred to the speech I made last year, and to which the hon. Gentleman has just recurred. The hon. Gentleman refers to me as one of the most recent penitents on the subject of Reform. If I were a recent penitent or a penitent at all, I hope I should have the candour to avow it. But, Sir, the opinions I held and expressed last year I hold and am ready to express now. I in no degree depart from the principles I then held by supporting the present Bill. I will take the very speech to which the hon. Gentleman has referred, and I will ask him, not to pick out a few words or a single sentence, but to examine the whole argument. The argument of the speech I made on the second reading of the Bill for establishing an educational franchise, introduced by the hon. Member for Hull (Mr. Clay), was this—that if you desired to extend the franchise in boroughs and to include, as I admitted it was desirable to include, a number of persons now excluded, you must consider by what means you are to do that. I was comparing the Bill then proposed with that for the reduction of the rental franchise in boroughs from £10 to the limit of £7. I said, if you are going on the principle of reducing the rental occupation franchise from £10 to any other figure—you cannot stop at any limit until you come to household suffrage, and I said I am not prepared now, or at any other time, with or without safeguards, to adopt household suffrage. I took my stand on the occupation franchise fixed by the Act of 1832, which has become consecrated by time; below which I thought it unsafe and unwise to reduce the rental occupation franchise. That was the view which the Conservative Government took in 1859, and they take it now. But holding that view the question presented itself how we should admit those whom it was desirable to enfranchise. There was at that time no other mode of doing that than by proposing other franchises, which should be collateral to the borough rental occupation franchise; and by means of this franchise we hoped we should be able to admit a considerable number of working men. In 1859 our ideas were not so extended as they are at present. In 1859 it was proposed to admit what was thought a considerable number of working men under the savings bank franchise, under the educational franchise, and under various others. In 1867 we go beyond that. We propose to add to the £10 occupation franchise a ratepaying franchise and a taxpaying franchise, and, with these additions to the existing rental franchise, we believe a very large number of persons will be admitted whom it is desirable to enfranchise. The ratepaying franchise is in no sense a substitute for the rental occupation franchise. It is an addition to, not a substitution for, that franchise. No one will understand the intention and meaning of the Government measure, or the position which Conservatives take in supporting that measure, who insists upon regarding the ratepaying franchise as a substitute for the rental qualification. When hon. Members make objections of this kind—that our franchise is bad because the terms on which it is given are different from those on which the existing franchise is given—it shows that they entirely misunderstand the spirit in which we propose the rating franchise, and they are making an absurd and a preposterous allegation when they state that we ought to put the ratepaying voters on the same footing as the £10 householders. That is the argument I should have proposed to you had the Motion of the hon. and learned Member (Mr. Coleridge) been brought before us, because that Motion would have raised the question and brought into prominent view the difference between the two franchises. I now come to the objection that has been raised that we are going to put the ratepayers, whom we are going to admit to the franchise, to the trouble of making the claim to be placed upon the register, that we are going to mulct them to some extent by making them pay rates upon less favourable conditions than other ratepayers, and that we are going to put them to other inconveniences to which £10 householders are not subjected. This was precisely the objection which was taken last year to the educational franchise by the right hon. Gentleman (Mr. Gladstone) who said he objected to that franchise, on the ground that it would be putting a man to trouble in order to obtain the vote it was proposed to give him, and that the principle which should be adopted was that if the franchise were conceded at all, it should be given free from any such conditions. The objection, however, serves the useful purpose of pointing out clearly the difference between the principle upon which we are proceeding and the principle upon which Gentlemen opposite, or at least those who represent what are called advanced Liberal opinions, are proceeding. I can quite understand hon. Gentlemen opposite saying that if a man was going to have the franchise he should have it upon the same terms as any other voter. Their principle, as I understand it, is that by nature every man has a *primâ facie* right to the suffrage, and that it is only owing to considerations which it is difficult to understand, but which appear to be satisfactory to them, that they think themselves justified in excluding a large number of persons from the exercise of this right. But that is not the view we take of the matter. We regard the franchise as being not a right, but a trust. In our opinion this House should be so constituted as to form an assembly that shall truly represent the public opinion of the country—that shall truly represent all classes and interests, and that in it all questions and opinions shall be brought to the test of fair discussion. But, even assuming that the view of Gentlemen opposite is correct, the question resolves itself at last into one of selection. Even they admit that they must use some means by which the best men may be selected for exercising this right or this trust. Well, it is this principle of selection that is at the bottom of all those franchises which hon. Gentlemen opposite are pleased to laugh at, and to call "fancy franchises." We do not say, "We will not give a vote to persons under a particular class," but we say, "We will open the franchise to every person who may think it worth his while to take some slight trouble to obtain it." And that is the principle of all Conservative Reform Bills. The governing power in this country is public opinion which will in the end prevail, whatever be the constitution of this House. I am free to state that, in my opinion, this House as at present constituted represents very fairly the public opinion of the country, although I might admit that its constitution as a representative assembly is not perfect, and that it might be benefited by the infusion into the franchise of a larger proportion of the working classes. Now we think we can provide for the satisfactory representation of the working classes by some principle such as that which was contained in the Bill of 1859, and which in a much larger measure is contained in the present Bill. That is the principle I have already referred to that persons may be selected—or, rather, may select themselves—from among the working classes, who, by taking some little trouble, will show that they desire to have, and that they are qualified to obtain, the franchise. Sir, I am very anxious to explain my views upon this point, because I felt that anything which we might state upon this question is liable to be misconstrued, and that the motives that have induced us to take the course we have adopted are liable to be misrepresented. I do not think that we have had a word said against us of which we have any right to complain. We were perfectly aware, when we undertook the task of dealing with the Reform question, that we were exposing ourselves to taunts and to insinuations which it is not pleasant to sit still and listen to. For my own part, when I had once made up my mind to deal with the Reform question, I determined to harden my heart and to close my ears against all taunts, and against all insinuations which I did not feel in my own conscience to be justified. I felt that if I could not justify to myself the course proposed to be followed it would be my duty to abandon the position I held. But, endeavouring to look at the matter as fairly as I can, endeavouring to divest myself of all personal considerations, I am convinced, as far as I am able to form a judgment, that I am in no degree improperly departing from the opinions I expressed last year. Nor do I feel embarrassed respecting any expression taken in its fair sense, and viewed in connection with other parts of the speech, I then made. Last year I expressed very much the same opinions that I have now uttered. I stated last year that I thought the introduction of a Reform Bill was unnecessary. Upon that point I admit that I have changed my opinion. I admit that last year I formed an erroneous judgment, although I at the same time contend that public opinion is fairly represented in this House as at present constituted. I said last year, and I repeat now, that I will not consent to an indiscriminate lowering of the £10 rental franchise which forms the present basis of the borough franchise. Hon. Gentlemen say that by proposing to extend the franchise to rated householders we are reducing the franchise to something which they are pleased to call household suffrage. Now I contend that there could be no more inaccurate description of our scheme than that. It is perfectly true that if we were to strike out the latter part of the clause which imposes the restrictions of personal ratepaying and residence, we should be creating household suffrage. But you might as well say we are creating manhood suffrage; because if you struck out the restriction of having money in a savings bank from the savings bank franchise you would be creating manhood suffrage. We regard the conditions of personal ratepaying and of residence as being vital to our scheme, and I, for one, could be no party to passing the clause unless it included those restrictions. The challenge of the hon. and learned Member (Mr. Coleridge) was on the Main Question, and we should have been perfectly disgraced if we could have accepted such an Instruction as that. We are perfectly prepared to consider with hon. Gentlemen opposite what are the terms on which the ratepaying franchise ought to be given; but if it is to be a ratepaying franchise at all it must have within it the element of personal payment of rates. That condition is essential, and from it it is not possible for us to swerve. I do not know in what form we are discussing this question. It seems to me that in his anxiety to deliver the speech he had prepared the hon. Member (Mr. Osborne) has been getting up a discussion after the proper time. He appeared to me to be like the soldier who fired off his gun after the review was over, not having had an opportunity of firing it off at the time, or who, having had an opportunity of doing so, failed to take advantage of it. We came down here prepared to justify the principle of our Bill, but we find that the "Instruction" which was to have been moved has been withdrawn. No Amendment is proposed to the Motion that you, Sir, leave the Chair, and during the discussion which has taken place this evening the principles of the Bill have not been challenged. We are prepared at any time to justify those principles. There is nothing in the Bill of which the Conservative party, as Conservatives, need be ashamed, and it is a Bill which, if we are fortunate enough to pass, will tend to the satisfaction of the country and to the public advantage.

Mr. ALLEN: I think it very important that it should go forth to the country that the right hon. Baronet who has just sat down, in the course of the speech he has just made in favour of the Reform Bill introduced by the Government, of which he is a most distinguished Member, has made use of the very remarkable expression, "he would never consent to any general lowering of the borough franchise." [Sir STAFFORD NORTHCOTE: I said of the rental franchise.] I thank the right hon. Baronet for correcting me, but I do not really think his correction makes much difference; but I do think his expression a most remarkable one, because it clearly shows what Her Majesty's Ministers think of the effect which will be produced in the borough franchise by their own Bill. Now, I confess that I am one of those who think that the Government Reform Bill is so objectionable in principle, that I believe the more manly and straightforward course for the Liberal party to have adopted would have been to have rejected it on the second reading; and I fear there is now great danger of the Liberal party in the House becoming divided, and losing that power which united action alone can secure to them. Now my objection to this Bill is, that the borough franchise it proposes to create is based on the personal payment of rates, a principle which I consider open to three fatal objections. My first objection to it is, that there will be no uniformity in the borough franchise, which it will create; but in one borough it will mean one thing, and in another borough something totally different. My second objection to it is, that it will make the borough franchise entirely dependent on the accident of whether the Small Tenements Acts, or other local rating Acts are in force or not; Acts which were never intended to have anything to do with the question of the franchise; and my third objection to it is, that it will be in the power of the local authorities of every borough, by putting into force the provisions of the Small Tenements Acts, or any other local rating Acts, or not, to raise or to lower the franchise at their pleasure. Now, these are the objections which I think may fairly be taken to the principle of this Bill. Now, to show the House how this Bill will operate in the different boroughs, I will take the case of the seven boroughs which are situated in the county in which I reside. In the borough of Stoke this Bill will create household suffrage, and add 15,000 electors to 3,400 on the register. In the borough of Newcastle-under-Lyne, which I have the honour to represent, it will also create household suffrage, and add about 1,800 new electors to the existing constituency. In the borough of Lichfield, on the other hand, it will only add three to the existing constituency of 764, and will exclude 945 householders. In the borough of Stafford, the present constituency is about 1,500, and to this it will add 1,555 householders, and exclude 114. In the borough of Wolverhampton the present constituency is 4,830, to which it will add 3,132, while it will exclude 18,369 householders. In Walsall it will add 739 to 1,296 existing electors, and will exclude 5,302; while, again, in Tamworth, where the present constituency is 532, it will add 495 to it, and will exclude 822 householders. Now this is a specimen of the inequalities which this franchise, based on the personal payment of rates, will create in the boroughs in a single county. But to take a broader view of the matter, how will it affect the country at large? In twenty-nine boroughs, in which neither the small Tenements Act, nor any other local rating Acts are in force, it will create household suffrage pure and simple, and will vastly increase the existing constituencies. In fifty-seven boroughs in which the Small Tenements Act is in force, by which owners instead of occupiers are rated for houses of £6 rateable value, it will establish a £6 rating franchise. In ninety-nine boroughs, in which the Small Tenements Act is in force in some parishes, and not in others, it will establish different franchises in the same borough. While in twenty-one boroughs, in which local Acts are in force by which owners are rated instead of occupiers at a rental of £10, it will actually disfranchise existing electors, and these twenty-one boroughs are, for the most part, the most important and populous in the kingdom. Now what possible argument can be used for basing the borough franchise on a principle which will produce such startling differences in the franchise in different boroughs, on what possible principle can you defend giving 15,000 new electors to the borough of Stoke-upon-Trent; while you only give fourteen new voters to the borough of Brighton. The fatal defect in this new borough franchise is, that it will be entirely destitute of the element of uniformity, and while in some boroughs it will add large numbers to the existing constituencies, in other boroughs of equal size and importance, it will scarcely add any at all. I fully grant that it is of vast importance that this question should be settled; but the House must remember that it is not the mere passing of a Reform Bill which will settle this question, but the passing of such a fair, just, and equitable measure as will give satisfaction to the people of this country. In its present shape, I have no hesitation in saying that I believe this a most unsatisfactory measure; but as I presume that it is now decided that we are to go into Committee upon it without a division, I sincerely trust that Her Majesty's Ministers may consent to such alterations and improvements being made in Committee on their Bill, as may make it at last such a fair and just measure, as it may be worthy of the Imperial Parliament to offer to the people of this great country.

MR. BERESFORD HOPE thought it was a matter of simple decency to accept the Motion for the adjournment of the debate. They all came down to the House that afternoon in the expectation that there would be a long discussion before the Motion for going into Committee was decided; but the first question collapsed, and other questions were got rid of by a dexterous stratagem on the part of the hon. and learned Member for Sheffield, and the consequence was that they were going to be at once launched into Committee on the Reform Bill. The House had been entrapped into its present position by a species of thimble-rig playing with the notice paper; and now, after the candid but extraordinary statement of the right hon. Baronet, it was surely right that it should have some opportunity of calm reflection. The right hon. Gentleman said that the Bill was not one of household suffrage, and that it was scarcely even one of substantial reform; but that it was merely a string of epithets and adjectives bearing somehow upon the Bill of 1832, and that even the vaunted personal rating suffrage was nothing more than one of the fancy franchises. After this, the latest and strangest exposition he had heard of this ambiguous Bill, he hoped that Her Majesty's Government would allow the debate to stand over till Thursday. The House ought not to be forced into an immediate discussion in Committee, and he appealed to the Treasury Bench to consent to the adjournment, a resistance to which would give rise to evil remarks, and so to allow hon. Members to go home and ponder over what had occurred.

MR. LOWE: Sir, I was very much struck with the speech made by the right hon. Baronet the Secretary of State for India, because it was couched in language so new and strange to me, that I could scarcely believe it proceeded from a Gentleman whose speech on the same subject I heard last year. The right hon. Baronet appeared to me to say—and if I misunderstood him I hope he will correct me—that if the Bill of the present Government contemplated lowering the franchise, he would have nothing to do with it. ["No!"] At all events, so I understood him. He went on to argue that we retain the rating franchise and in so doing we retain everything. We allow men desirous of possessing the franchise to put themselves on the register, but beyond that we retain matters as they are, and I understood the right hon. Baronet to say that if that were not the case, he would be no party to the measure. He treated the notion of this Bill tending in any way to household suffrage with the greatest contempt; and, as I understood him, he said the question was as remote from household suffrage as it was before. That the Government Bill did not only not amount to household suffrage, in which he is perfectly right—but that it did not approximate to it. Hear what he said last year, and wonder what men can say at one time and what they can say at another. I am quoting from *Hansard*, May 30, 1866, in which I find the following speech of the right hon. Baronet:—

> "He did not intend to go the length of saying that it was desirable to extend the franchise down to household suffrage; but he would agree that if it were the intention of the House to extend the franchise by going below the £10 limit for boroughs—"

(Of which he has not said one word to-night)—

> "There was no point whatever short of household suffrage at which they could consistently stop."—[3 *Hansard*, clxxxiii. 1534.]

The right hon. Baronet is now a party to a Bill which does away with the £10 limit, and which does away with any figure at all, and yet he argues that if you adopt it, you will not have made the slightest approximation to household suffrage. But there is more of this speech. He says—

> "Sooner or later under such circumstances—"

That is, circumstances of taking a £9 franchise even—

> "They must come down to household suffrage,

and he was prepared to say that if that were the point to which they must go, he was just as willing it should take place at once as that it should take place at a later date."—[3 *Hansard*, clxxxiii. 1534.]

He therefore last year believed that any lowering of the franchise must inevitably lead to household suffrage, and that household suffrage is preferable to any intermediate change, such, for instance, as that contemplated by the Bill of the present Government. The right hon. Gentleman says that no language has been employed towards the Government of which they had a right to complain. I should like to know, if hon. Gentlemen make such speeches as that one year and then in another year make such a speech as the one we have heard to-night, what language can we use within the bounds of Parliamentary decorum of which they have any right to complain? I have not been willing to embarrass this discussion with retrospects; but if right hon. Gentlemen will come forward and challenge us in this manner, it is quite impossible to forbear. It is quite true that every Gentleman is the judge of his own honour; that he carries within him a secret tribunal by whose decision he must stand or fall; and the right hon. Gentleman may be acquitted by that tribunal. But it is also true that no upright Judge allows his decision to be affected by a bribe, and when right hon. Gentlemen change in this extraordinary manner, that change ought not to be accompanied by office and preferment. It is painful to say these things; but when right hon. Gentlemen, rising from grade to grade in the public service, appeal to their conscience, it is right they should be told that they do not appeal to an unbiased and unprejudiced judge. So much for the right hon. Gentleman. I have now a word or two to say—I did not mean to speak, but as it seems we have nothing very particular to do to-night, I may be allowed to offer a few remarks—about the Bill under our consideration. This Bill has a double aspect, and that is the dexterity and mischief of it. If looked at by the light of what it will immediately effect, it is not a large measure of enfranchisement, or one that even a timid man need fear. But if we look upon it in its potentiality, keeping in view that to which it may lead, it is a measure of the very largest nature. It is by presenting those two aspects that the effect is produced of causing one side to regard it as a sweeping and the other as a moderate scheme of Reform. If the Bill were to stand where it is, and bore in it the elements of permanence, then it would be a Bill which, I at once admit, a Conservative Government need not be ashamed of proposing. But how does the matter stand? We must not only consider what is actually done, but we must not lose sight of what must inevitably follow. You broadly lay down that every man who lives in a house for which the rates are paid by any one is entitled to a vote if he only chooses to take the trouble to get it. But you say that you require the conditions of personal rating, and that is the mode in which you force him to assert his right. You, in the first place, distinctly say that the franchise is to belong to such a man of right, but then you impose upon him a burden, and by the last clauses which have been drawn up by the Chancellor of the Exchequer he is to be subjected to a fine before he can get it. You throw artificial obstructions in his way, and how long, let me ask you, do you think those artificial obstructions will last? How long do you imagine that men will bear to be told that the franchise is their right if they wish to have it, and not at all a matter of selection or fitness, and that they are the judges whether they are to have it, and yet submit to the pecuniary fines which you set up as a barrier to its possession? Do you believe that the state of things which will be produced by the passing of a measure such as this is likely to be permanent? How long will it be before the class you are thus tampering with will convert that option which you give them into a right and compel you to place them upon the register? The Chancellor of the Exchequer, in answer to a deputation the other day, laid down as the principle of a Reform Bill that every man who earnestly and eagerly desired the franchise was entitled to its possession. He might just as well have said that the right of property was that any one who earnestly and eagerly desired to take my purse ought to have it. The true principle—if we have not lost sight of all principle—of the franchise is that a man ought not to have it unless he is fit to exercise it, and that fitness certainly does not consist in the eagerness with which he may desire it. There are many reasons why a man may desire to have a vote. He might wish for it, for instance, because he thought he might make a good thing of it, because he sees the money is going at elections. The Chancellor of the Exchequer might deem that a reason why he should give it to him, although everybody else would be inclined to hold the contrary opinion. That is the Conservative principle of this Bill. The only thing to ascertain is, not whether a man possesses property or intelligence, but simply whether he lives in a house and is earnestly desirous of obtaining the franchise. I know of no more unsound or more unsafe principle. It is easy to create a desire where it does not exist, and to take away the condition, so that the desire of a person for the franchise will become the desire of others who wish to corrupt him, and the door will be opened to every species of evil. The principles involved in this Bill, however, would seem to be to some hon. Gentlemen so plainly and manifestly sound that they do not look upon them as worthy of preliminary discussion. The second reading goes as a matter of course, and the Committee follows without even that consideration which awaits the most ordinary measures which are brought under our notice. I think we are under a great obligation to the hon. Member (Mr. Osborne) for the courage he has displayed this evening in resisting this mode of proceeding. He has, in my opinion, done a public service by the way in which he has drawn attention to the matter. The position in which we find ourselves is one which no man, whatever his political opinions, who loves his country or who reveres her Constitution can look upon without dread. We are about to go into Committee upon a Bill in reference to which the only point upon which we are agreed is that in its present shape it ought not to pass. We are going into Committee, too, under the Leadership of a Gentleman who does not command a majority of the House or the unanimous support of his own party. In short, entering without pilot, chart, or compass into this vast and stormy ocean of Reform. The grounds on which I objected, and successfully objected, to the Resolutions of the right hon. Gentleman—namely, that they took the question out of the hands of the Government and placed it in the hands of the House — apply now. As things are at present, the Government have not the direction of their own measure. The House is to be called upon to frame a Bill, and the House knows nothing except that the Leader, neither on one side or the other, seems to have any command over his own party. To this lottery, to this chance-medley, it is that we are about to trust the Constitution of this country. I am not to-night arguing in favour of principles which it is well-known I hold. I am treading on ground which I occupy in common with almost every Gentleman whom I see around me. If you proceed in this way, can you, I ask, hope for anything but disgrace and failure? Not necessarily failure in passing this Bill—but failure worse than any interregnum or difficulty which may ensue as a consequence of its not passing? I hope, then, that others will follow the example of the hon. Member (Mr. Osborne), and that we shall have a little discussion on this question. The public will then know that the Conservative party have—whatever the right hon. Baronet (Sir Stafford Northcote) may say —advanced beyond those who sit on these Benches in bidding for the support of Democracy. Not so much by what they actually do as by that to which they open the door, and which must be the inevitable consequence of the course they are pursuing. It astonishes me to see a deputation of gentlemen coming up from the country to congratulate the Chancellor of the Exchequer on the Conservative measure he has introduced, when they must know that—but for the small matter of personal payment of rates—it means household suffrage pure and simple. What a frail bulwark to rely upon to protect the Constitution of this country against the inroads of democracy. If it could be made clear to the public how this question stands; if it could be shown to them that the Conservative leaders are drawing those who have not hitherto been desirous of change into the support of a measure which places the Liberal party in the dilemma of assenting to a course which they know to be wrong and pernicious, rather than allow themselves to be beaten in the race for popular favour; much good would be accomplished. Right hon. Gentlemen opposite are about to carry out a policy which has not the slightest connection with that which they last year avowed and acknowledged. I should be sorry to be concerned in anything of the kind. It was not because the £7 rental franchise of my right hon. Friend (Mr. Gladstone) did not, in our opinion, go low enough, that I and others on this side of the House lent our aid to displace the Government. It was because we looked upon it as a dangerous and hazardous experiment. That was the language which was held in private by those very Gentlemen who now seem to think that the late Government did not go far enough, who do away with the figure altogether, and repose on the principle of a rating franchise. Never was there tergiversation so complete as that which is now displayed by those who last year acted as I have said, and who yet have to-night the assurance to come forward and hold such language as that to which we have listened. Such conduct may fail or not; it may lead to the retention or the loss of office; but it merits alike the contempt of all honest men and the execration of posterity.

MR. MONTAGU CHAMBERS said, that notwithstanding his admiration for the ability of the right hon. Gentleman (Mr. Lowe), he could not help saying that his object appeared to be to obstruct and impede all attempts at Reform. In every speech made by the right hon. Gentleman there was to be detected a considerable amount of false logic. What did the right hon. Gentleman mean by those speeches? Last year, when the late Government attempted to bring in a Reform Bill, the right hon. Gentleman did all he could to oppose and defeat it. In the present year, when the succeeding Government endeavoured to pass a measure of Reform, the right hon. Gentleman again met it with cavilling objections. The right hon. Gentleman charged the Members of the present Government with enunciating a principle which they last year repudiated. He (Mr. Montagu Chambers) did not care whether that were so or not. The community did not care. They wanted a Reform Bill, and it was of no importance to them whether it came from the present or any other Government. His notion was that they might get it now. If the House should go into Committee upon this Bill he was determined to act upon this principle—to accept of everything that was favourable to a settlement of this question of Reform; but he was not so sanguine as to imagine that this measure would be a final settlement. Therefore, his notion was that they should get as much as they could, and if it did not satisfy the community, they could go farther until they were satisfied. That, no doubt, was an unpopular statement for some hon. Members, but the impression out of doors was that complete Reform could only be accomplished by degrees. Lawyers and politicians appeared to labour under a mistake with regard to what was the meaning of household suffrage. He found from historical and legal research that household suffrage had always been accompanied with the payment of local rates. The voter by the old "scot and lot"—which was equivalent to household suffrage—had to pay parish or church rates. Their ancestors knew very little of household suffrage pure and simple. Therefore, when household suffrage was proposed as one of the leading principles of a new Reform Bill, every one acquainted with the subject said it must be accompanied with the payment of rates of one kind or another. Again, potwallopers—every man who boiled his own pot, or was able to find food and firing—in ancient times were no more nor less than lodgers, and they had votes. These were old principles, and they were going back to them. He himself was in favour of a rental franchise, and whether by this Bill or not, the time would come when they must adopt it. The arguments on both sides tended to that, and they already showed the difficulties and inconsistencies that must arise in endeavouring to establish a fair franchise by rating and payment of rates. His test of fitness would be a year's residence and a year's payment of rent. The compound-householder pays the rates of his house in the shape of rent, and it mattered not whether they were paid by him or his landlord. His landlord was his rate collector. The tenant who resided in a house and paid his rates through his landlord was a far more respectable and better man than the man who would have his rates paid for him by an election agent. That was the evil of this Bill. It was the interest of all true Reformers to assist the Chancellor of the Exchequer in carrying a real Reform Bill; but the proposed manner of putting a man on the register was a complicated piece of business, and could not be approved of. They should test a man by rental and occupation. Before many years they would have to adopt residential household suffrage, the payment of rent being the test of a man's respectability, and if the Government would adopt rental in Committee instead of rating, a large number of true Reformers would support them. He cared not which side produced a Reform Bill. If it was a good Bill he and many others on the opposition side would support it. The right hon. Gentleman (Mr. Lowe) was sometimes a good logician and at other times a bad one; but, unfortunately, his logic dazzled a great many who did not understand it, and there was hardly one Member in that House who really knew what the right hon. Gentleman meant by the speech he had just delivered. The speech of the right hon. Gentleman last year which had been so much admired was a beautiful sort of University exercise; but there was not a Member in the House who could say what it meant. The Conservative party cheered the right hon. Gentleman last Session, believing that he was assisting them; but he had now turned round, and had said all he could against them. He (Mr. Montagu Chambers) should support the Motion for going into Committee. He was well satisfied at the result of the consultation that occurred before they met that evening. At the end of the proposed Instruction there was something very equivocal to true Reformers. They thought it restrictive. They had carried a point very useful as an Instruction, and he hoped when they went into Committee on it they would carry a Reform Bill that would be suitable to the wants of the country.

Motion made, and Question, "That the Debate be now adjourned,"—(*Mr. Gorst,*) put, and *negatived.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

MR. GOSCHEN said, he understood it was not intended by the Government to proceed with the Bill in Committee to-night?

MR. GATHORNE HARDY said, that was the understanding. He moved that the Chairman report Progress, and ask leave to sit again on Thursday next.

House *resumed.*

Committee report Progress, to sit again upon *Thursday.*

PUBLIC HEALTH (SCOTLAND) BILL.

(*Sir Graham Montgomery, Mr. Secretary Walpole, Mr. Hunt.*)

[BILL 89.] SECOND READING.

Order for Second Reading read.

LORD ELCHO said, he would suggest that, in deference to the wishes and convenience of the Scotch Members who had not expected the measure would come on that evening, the second reading should be deferred till after the Easter holydays. He also desired to ask the Chancellor of the Exchequer if he proposed on Thursday to put the Committee of the Reform Bill or the Bill for the Suppression of Corruption and Bribery at Elections first on the Notice Paper? ["Order!"]

SIR GRAHAM MONTGOMERY said, he would consent to postpone the second reading of the Bill till after the Easter recess.

Second reading *deferred* till *Thursday* 2nd May.

IRELAND—LIMERICK HARBOUR.

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

COLONEL FRENCH said, he wished to ask for some explanation of the intentions of the Government. Money had been lent upon insufficient security. Owing to the system of keeping accounts in the Government Departments, Irishmen were represented as debtors to the extent of £2,000,000, though they had honestly met such liabilities as were fairly chargeable to them.

MR. HUNT said, the object of the measure he sought leave to introduce was to compound a debt now due from the Limerick Harbour Trustees to the Treasury. The Government were in the position of mortgagees in possession for a debt of £173,000 and interest £56,000, amounting together to £230,000, a burden which completely weighed down the resources of the port, and rendered them incapable of development. The late Government had proposed conditions which the Harbour Commissioners found it impossible to comply with. In the Bill which he would ask leave to introduce provision would be made to compound a debt for an annuity extending over a long period.

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the Commissioners of Her Majesty's Treasury to compound the Public Debt and Interest due by the Limerick Harbour Commissioners, and to make arrangements for the payment of the amount for which such Debt is to be compounded, and for the transfer of Wellesley Bridge, in the City of Limerick, to the Commissioners of Public Works.

House *resumed.*

Resolution to be reported *To-morrow.*

PUBLIC BUSINESS.

QUESTION.

Lord ELCHO: I wish to ask the Chancellor of the Exchequer which he intends to take first on Thursday, the Committee on the Representation of the People Bill, or the Bill of which he has given notice for dealing with bribery and corruption at elections. I am induced to put this Question because I believe many hon. Gentlemen feel that unless there is ground for supposing some progress will be made with the Representation Bill on Thursday it would be hardly worth while to take the Committee on it the day before the adjournment for the holydays. I hope it will not be imagined that, individually, I wish to throw the slightest obstacle in the way of proceeding in Committee with the Representation Bill. So far from that, if I had been called upon to record my vote to-night, I should have given it for going into Committee, because I think it is extremely desirable that this Reform Question should be settled in the present Session. The arrangements of hon. Members during the holydays depend upon the time of the adjournment of the House. We should be all willing to give up our holydays, if it were necessary to do so, in order to settle the question; still, unless it is supposed that we could make *bonâ fide* progress on Thursday, I would suggest to the right hon. Gentleman whether it might not be better to defer proceeding in Committee till after Easter. There is one other argument which I might use. A noble Friend of mine (Earl Grosvenor), for a reason in which every one sympathizes, is prevented from being present, and leave of absence for a week has been granted to him. I believe I am not wrong in saying that one of the most important, if not the most important Amendment to be proposed in Committee is that of my noble Friend, which stands early in the Paper. It would therefore, I think, meet his convenience, as well as that of the House generally, if the Committee were postponed till after the holydays.

The CHANCELLOR of the EXCHEQUER: It is the duty of those who regulate the business of the House to defer, as far as possible, to the general feeling of the House. I have no other wish in regulating our business than to take that course which, on the whole, I think will be most conducive to the public interest, and also most convenient to hon. Gentlemen. With respect to the questions alluded to, both are in a peculiar position. As regards the measure against bribery and corruption my personal engagement, I may say my personal honour, is pledged to its being brought forward before the holydays. It is a real, *bonâ fide* measure, prepared with great care, and I hope the House will receive it with favour, though the subject with which it deals requires considerable consideration. I might ask leave to introduce that Bill to-morrow; but, if I do so, of course I could not make a statement on it till the second reading. If I introduce it to-morrow and fix the second reading for Thursday, we could put down the Committee for the Representation of the People Bill for the same day, and the House could decide how they would proceed. As to whether the question of bribery and corruption at elections is one which requires and deserves their attention on Thursday it will be for them to decide. We must go into Committee on the Reform Bill on the second Government day the House meets after Easter. It would be inconvenient for us to go into a subject of very commanding interest on the first day. Moreover, I have promised that day to the Irish Members for the discussion of their Bill, and of course I must keep that promise. At present, I would suggest to the House that the best mode of procedure would be to place the second reading of the Bribery and Corruption Bill first on the Paper on Thursday, and if it meets with no opposition, the House may then go into Committee on the Representation of the People Bill. If, however, they should think it inconvenient to enter into the discussion of the latter Bill—and we should remember that the first clause is the most important—it will be in their power to express that opinion, and we should then fix it for consideration in Committee on the 2nd of May. The House will consider these matters; but at present I feel bound to move on Thursday the second reading of the Bribery and Corruption Bill, and I shall put that Bill upon the paper in accordance with the pledge which I have given to the House.

Sir GEORGE GREY: I do not wish to interfere with the Order of Business proposed by the Government; but I certainly understood that the Committee on the Representation of the People Bill would be the first Order for Thursday. At present, however, the right hon. Gentleman proposes to put the second reading of the Bribery and Corruption Bill, which has not yet been brought in and read a first time, for the first Order on that day. I think that the Bribery and Corruption Bill can hardly pass without some discussion, and that the course proposed by the right hon. Gentleman amounts practically to postponing the Representation of the People Bill until after Easter.

The CHANCELLOR of the EXCHEQUER: I will leave the matter to the House.

Mr. AYRTON said, that to place the Bribery Bill first on the Paper would be to compel the House to pass the second reading of a measure of great importance without discussion, in order that they might proceed with the Reform Bill. That was a course which the House could never sanction; and therefore, practically, the right hon. Gentleman did not leave the matter in the hands of the House, but prevented them from proceeding with the Representation of the People Bill, for the Bribery Bill would occupy the whole of the evening. There was no Bill more likely to occupy time, because it was one of those subjects about which so many Members knew more than they did about most other subjects, and they generally found that the discussion became much more comprehensive as there was a large amount of personal knowledge and experience on the part of hon. Members. If the right hon. Gentleman really meant to give the House the option of deciding as to the course they would take, he would put the Reform Bill first, and then when they got into Committee they could decide whether to proceed or to report Progress at once in order to take the second reading of the Bribery Bill.

Mr. J. STUART MILL said, there was a great deal of inconvenience in leaving a matter of so much importance in vagueness and uncertainty. He spoke feelingly on the subject, as he had a Motion on the paper which would be the first Amendment on the Reform Bill when they got into Committee, and he was naturally anxious therefore to know whether the Bill would come on on Thursday. He was perfectly ready to bring forward his Motion on that day, or later if the House thought fit; but it was extremely important that he should know on what day he would be called upon to bring it forward.

The CHANCELLOR of the EXCHEQUER: I agree with what has fallen from the hon. Member for the Tower Hamlets (Mr. Ayrton), and I will accordingly make the Committee on the Representation of the People Bill the first Order for Thursday, and then it will be for the House to decide on the course to be pursued. My only object is to consult the convenience of the House. I have been almost taunted by an hon. Baronet, a Member of this House, for having appeared to recede from an obligation which I accepted in its entirety and reality, and which I have laboured to fulfil. The measure I shall bring forward will at least prove the sincerity of my promise. I did not therefore feel myself perfectly free on the subject; but after what has occurred, I will put the Committee on the Representation of the People Bill first on the paper for Thursday, and the Bribery and Corruption Bill second. The House will then be in a position to determine which of them shall be first discussed.

CUSTOMS AND INLAND REVENUE BILL.

Bill to grant and alter certain Duties of Customs and Inland Revenue, and for other purposes relating thereto, *presented,* and read the first time. [Bill 113.]

NATIONAL DEBT ACTS BILL.

Resolution *reported;*

"That it is expedient to authorise the cancelling of the Charge on the Consolidated Fund for Savings Banks of Twenty-Four Millions, and the creation of equivalent Terminable Annuities for Savings Banks in lieu thereof, and to provide for the payment of such Terminable Annuities out of the Consolidated Fund."

Resolution *agreed to:*—Bill *ordered* to be brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Mr. Hunt.

Bill *presented,* and read the first time. [Bill 114.]

House adjourned at Ten o'clock.

HOUSE OF LORDS,

Tuesday, April 9, 1867.

MINUTES.]—Public Bills—*First Reading*—Marine Mutiny * (76); Chester Courts * (77); Petty Sessions (Ireland) Act (1851) Amendment * (78).

Second Reading—Tenure (Ireland) (23); Vice Admiralty Courts Act Amendment (71); Canada Railway Loan * (73).

Committee—Judges' Chambers (Despatch of Business) * (58).

Third Reading—Oyster Fisheries * (75); Mutiny *; Lyon King of Arms (Scotland)* (54), and *passed.*

THE LONDON UNIVERSITY — BURLINGTON HOUSE.—OBSERVATIONS.

EARL GRANVILLE said, he wished to call the attention of the noble Duke opposite to the subject of the new building which it was proposed to erect for the London University. He understood that some explanation had been given in the other House by the noble Lord the First Commissioner of Works on the subject; and he was gratified to learn that the noble Lord had stayed for a time the further progress of the building. The authorities of London University received an intimation from the present First Commissioner of Works that the Board of Works were alone responsible, and could not allow of any interference with regard to the elevation on the part of the London University. The representatives of the University had conveyed to Lord John Manners that they entertained the opinion, which he believed was held by the great majority of the people out of doors, that both the building for the London University and the other buildings on the same site should be in the same style and in keeping with each other. They had suggested that it was very possible that a building of a simple but substantial character, and in due harmony with the other buildings on the Burlington House site, might be erected at less expense than the proposed elevation, which was of a highly ornamental character, and could not be carried out satisfactorily except at great cost. He desired to state that the representatives of the University had received the utmost courtesy from the noble Lord throughout their communications with him; but they decidedly disapproved the design proposed for the elevation.

THE DUKE OF BUCKINGHAM said, he could only confirm what had been already stated "in another place" by his noble Friend the First Commissioner of Works—namely, that the works at the Burlington House site would be suspended for a few weeks, so as to leave open the question of any modification or alteration of the plan and elevation which had been proposed for the buildings for the London University.

TENURE (IRELAND) BILL—(No. 23.)

(*The Marquess of Clanricarde.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE MARQUESS OF CLANRICARDE, in moving the second reading of this Bill, said, that as he had last Session submitted a similar Bill for their Lordships' consideration, he need not enter into any detailed description of its provisions. There was nothing compulsory in the measure. On the contrary, its main object and principle were, that all transactions in regard to land between landlord and tenant should rest upon voluntary contract. It was a mistake to suppose, as some persons appeared to do, that the small class of tenants in Ireland were not as much alive to the best mode of making a good bargain for themselves and as capable of understanding the engagements they entered into as any other persons whatever. When Parliament was legislating on the question, it ought to legislate in a comprehensive manner, and with a due regard to other classes of occupiers of land besides the peasant occupiers. In Ireland there were tenants paying rents not only as high as £500, but £5,000—and he believed even £10,000 a year. He trusted that the Government would allow the Bill to be read a second time; and he should be glad to see it referred to a Select Committee to which, if the Government desired it, the Bills on this subject, now in the House of Commons, might be remitted when they came up to their Lordships' House, so that they might be examined together, and, if possible, a satisfactory measure should be passed this Session.

Moved, "That the Bill be now read 2ª."—(*The Marquess of Clanricarde.*)

LORD MONCK said, he did not rise to oppose the second reading of this Bill, the main object of which commended itself to all, since it proposed to consolidate and simplify the law of landlord and tenant in Ireland; to provide for the formation of cheap and accessible tribunals for settling disputes, and to facilitate the granting of leases. So far the object of the Bill was admirable. Looking, however, to the intricacy of the subject, and the numerous difficult and professional questions which it involved, he was rather startled to find such a subject taken up by a private Member of Parliament; and he was therefore much relieved to find that the Bill was to be referred to the same Select Committee as the Government Bills, where it would undergo professional scrutiny by the responsible Advisers of the Crown. The Bill also professed to deal with the compensation to tenants for improvements, and also with the manner in which land for the future should be held in Ireland. These were subjects which had for many years excited the attention of the farming class in Ireland, and had created a great deal of excitement among other classes. Like all other subjects which became matters of public interest, this was liable to be, and had been from time to time, prostituted for party or personal objects. Making every allowance, however, for those feelings, he believed there existed among Irish tenant farmers a strong and well-founded sense of grievance in reference to their position. He believed that the people entertained a great desire for legislation on this subject; and he believed he should be able to show their Lordships that the demands of the people were not unreasonable, and might be satisfied without an invasion of the rights of property. Various measures had been introduced into Parliament; but, though some of them had become law, they had failed to set the agitation at rest; and, with one exception, none of those measures having the slightest chance of success had received the approbation of those who represented the tenant farmers. The reason for the failure which had attended every attempt at legislation he believed to be this—that they had dealt merely with the symptoms which appeared on the surface of the body politic, and had not probed the causes of those symptoms. They had not ascertained the real grievances of the tenant farmers, and therefore the remedies they had attempted to supply had been insufficient. Attention had been directed to the question of compensation to tenants for improvements, when the real secret of the discontent which prevailed was the unsatisfactory condition under which land was generally held by Irish farmers. Those who were old enough—as he unfortunately was—to recollect when the question first gained prominence among Irish political topics would remember that it bore the character of a claim for fixity of tenure. That idea had never been abandoned by the Irish farmers; and he (Lord Monck) believed that demand was not unreasonable, and might be carried out without any invasion of the rights of property. The Bill introduced last year by his right hon. Friend Mr. Chichester Fortescue, and which he had reason to know would have been accepted by those who represented the tenant farmers of Ireland as a fair settlement, proposed, no doubt, to give very stringent rights to tenants with respect to compensation for improvements; but only as an alternative to a lease, or a lease for less than thirty-one years, and every landlord who might grant a lease for that period freed himself from all claims for compensation. The effect of that measure would have been to compel landlords in their own defence to give leases; and it only provided such a certainty of tenure as would be required by any farmer in Scotland as a security for the investment of his capital and labour. In his opinion, the Bill of his noble Friend (the Marquess of Clanricarde) involved precisely the same principle. The third section of it enacted that all contracts respecting land should be in writing; and this obviously implied a lease, for no landlord would be at the trouble of a written agreement with each one of his tenants every year. The Bill also proposed that landlords who gave no leases should not have the benefit of that cheap court for the settlement of disputes which it provided in other cases—thus driving them to an action in the Superior Courts. It required them, too, to give a twelvemonth's notice to quit before bringing an action of ejectment; and it empowered the Judge who might try any of these actions to award costs against the party who should appear to have been in fault with regard to the absence of a lease. Of course, the fault would always rest with the landlord. He had not cited these clauses as an objection to the Bill, but simply to show that it was not of so voluntary a character as it had been described by his noble Friend, and that its tendency would be to oblige landlords to give leases. A measure had been introduced into the other House by his hon. and learned Friend Sir Colman O'Loghlen, enacting that in cases where there was no evidence of a lease the courts should presume, not a yearly tenancy, but a lease for a fixed number of years. When therefore he found the principle of compelling landlords to give leases pervading all three of the Bills to which he had referred, and which had emanated from different quarters, he could not help thinking that the satisfactory settlement of this vexed question was not far distant. That principle, moreover, was no new one; for the Statute of Frauds, as far back as the time of Charles II., enacted that all agreements affecting land for a certain term of years should be in writing; and he believed that its operation would be attended with salutary results. No good cultivation could go on where the tenure was involved in uncertainty. It was needless for him to prove that a lease would be beneficial to the occupier; and he could speak from his own experience of the benefit which would follow to the landlord. He had always entertained a strong feeling with reference to this question; and he was sure that unless something was done to satisfy the craving for legislation on the subject peace and satisfaction would never exist in Ireland; but he believed this desirable result might be obtained without any undue interference with the rights of property. The few observations which he had made were dictated by the most friendly spirit to the Bill of the noble Marquess. He was glad to hear that it was to be referred to a Select Committee; and if the noble Marquess could make the gentle pressure on the landlords a little more vigorous, he should be glad to give the Bill his support.

THE EARL OF MALMESBURY said, their Lordships would agree with him that great credit was due to the noble Marquess (the Marquess of Clanricarde) for the pains he had evidently taken in dealing with this intricate question, and producing, he would not say a Bill, but a regular code on the subject of Irish land tenure. Their Lordships were aware that Her Majesty's Government had brought a Bill into the other House; but, as it had not yet reached their Lordships, it would be irregular on his part to enter into its details. He thought the safest and best course for their Lordships to adopt was to allow this Bill to pass a second reading. To that the Government had no objection, guarding themselves, however, that it should be without prejudice to their own Bill. When the measure of the Government came up to their Lordships' House it would then be time to consider whether it would not be desirable to read it the second time, and then refer both Bills to the same Select Committee. All that he wished to say further was, that the Government felt the great importance of this subject. It was one which had occupied the attention of Parliament Session after Session, and much disappointment had been felt that the question had not been settled. Considering the number of Bills on the subject now under discussion, he trusted that they would be able at length to frame a satisfactory measure.

After a few words, in reply, from The Marquess of CLANRICARDE,

Lord Monck

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday,* the 16*th of May,* next.

VICE ADMIRALTY COURTS ACT AMENDMENT BILL—(No. 71.)

(*The Lord Chancellor.*)

SECOND READING.

THE LORD CHANCELLOR, in moving that the Bill be now read the second time, said, that its object was to improve the jurisdiction of the Vice Admiralty Courts. In the year 1863 an Act was passed which defined the jurisdiction of those Courts in the colonies, and had been found to give the greatest possible satisfaction. Suggestions for its improvement, however, had been made from various colonies, and this Bill proposed to adopt those suggestions. By the Bill of 1863 the Chief Justice of a colony was *ex officio* Judge of the Vice Admiralty Court. That was an excellent provision; but in colonies like New Zealand, where there was an extensive seaboard, and a great number of maritime towns at a considerable distance from each other, it frequently happened that the Chief Justice, who was the only Judge of the Vice Admiralty Court, was engaged on circuit or in one of the maritime towns when there might be a cause awaiting him in another. Now, this Bill would enable the Chief Justice to appoint a deputy, with the approval of the Governor of the colony. Another provision of the Bill was to remove doubts as to the persons who might practise in those Courts. There was also a provision of some importance which removed certain difficulties that had arisen in respect of certain of these Courts, Courts which had been established by letters patent in colonies possessing an independent Legislature.

Bill read 2ª, and *committed* to a Committe of the Whole House on *Thursday* next.

ESTABLISHED CHURCH—RITUALISTIC PRACTICES.—PETITIONS.

THE MARQUESS OF WESTMEATH *presented* five Petitions of Women of the United Kingdom against any Innovation in the customary Ceremonial of the Church of England. The noble Marquess said, that one of these petitions had 17,188 signatures. One of these petitions stated that in the event of a Royal Commission being appointed to inquire into Ritualistic Innovations in the Church of England, there could be no confidence in the proceedings of such a Commission if right rev. Prelates were appointed thereto who were themselves compromised by the introduction of usages and practices which were rejected at the Reformation. The petitioners mentioned the cases of the Lord Bishop of the diocese of Oxford, who had conducted a novel, unauthorized, and superstitious service for the "Dedication of a Bell" in Bampton Church; the Lord Bishop of Salisbury, who used a similar unauthorized and superstitious ceremonial for a bell in Sherborne Church; the Lord Bishop of Gloucester and Bristol, who inaugurated by a special service a new order of Church ministers other than those authorized in the Prayer Book; and the Lord Bishop of Chichester, who, in addition to novel proceedings in a private chapel, attended a special service in Chichester Cathedral in connection with "the presentation of a pastoral staff," having profane Popish emblems engraved thereon, and also held a highly-objectionable service for the consecration of a Lady Warden of a Tractarian sisterhood; and prayed the House to adopt an Address to Her Majesty on the subject. Having read the petition at length, the noble Marquess was understood to urge in support of it that whilst he admitted that it was entirely in the province of the Crown, on issuing a Royal Commission, not only to nominate who should compose it, but also to lay down the Instructions under which it was to act, he was, nevertheless, justified in presenting this petition, and in briefly supporting the prayer of it. At the same time, he disclaimed any intention to speak offensively of Bishops in proceeding to substantiate the allegation which rendered it inexpedient that they should be members of such a Commission as that referred to. He denied that there was the slightest authority for the Bishop of Chichester carrying a pastoral staff in procession, or to justify the dedication of a bell by a religious ceremony, which was the more objectionable in the English Church because it was common in the Church of Rome.

The Duke of MARLBOROUGH said, he did not rise for the purpose of addressing their Lordships on the general Question on which the noble Marquess had spoken at such length, but simply with the view of saying a few words on behalf of his right rev. Friend the Bishop of Oxford, who was unable to be present, and who was anxious that the charge which had been brought against him by the noble Marquess should not be left in the position in which he had placed it, but that the House should be put in possession of the real facts of the case. He (the Duke of Marlborough) felt himself to a certain extent justified in making a statement on what was a personal matter, inasmuch as, although he could not say that he was actually of his own knowledge acquainted with the facts as they occurred, yet he was thoroughly well acquainted with the clergyman of the Church in which the circumstances relating to the dedication of the bell in question took place; and that gentleman was, he could assure their Lordships, one of the most estimable, worthy, and moderate men in the diocese of Oxford, and a man, too, who was as little likely to promote or encourage anything of what was popularly termed a Tractarian character as any Churchman whom he knew. The Bishop of Oxford complained, and he thought not without reason, that the noble Marquess should bring so serious a charge against him as that of having violated the Act of Uniformity without having given him any notice whatever that it was his intention to do so, and should have thought fit to bring it forward, too, at a time when the right rev. Prelate, in common with many of his right rev. Brethren, was necessarily absent in the performance of his duties during the period of Lent. But, without entering further into that point, he would leave their Lordships to form their own opinions as to the propriety of the way in which the subject had been introduced to their notice, and would content himself with reading what he believed to be an authentic account of what was called the dedication of the bell at Bampton Church. That account was as follows:—

> "A new bell, by great exertions of the parishioners, was provided for Bampton; and the vicar wrote to the Bishop stating the great wish of the parish that some religious service should accompany its erection. The Bishop consented to attend; they had in the Church the regular service of the day, and the Bishop preached a sermon, explaining the impiety and superstition of the Church of Rome in baptizing bells, and the piety of asking God's blessing, as they were going to do, on this addition to His house of prayer. After the regular service in the Church, the congregation adjourned into the churchyard, and while the bell was raised, sang a hymn and said some prayers like those commonly used at laying a foundation stone—praying that the bell might call men to God's house, might remind them to

hallow joy by prayer, and, as it tolled, to think of death in life."

That statement came from a private source; but their Lordships might, he thought, form some idea of the fairness with which the subject had been treated by the noble Marquess when he read an extract from a report of the proceedings on the occasion which had been published in a local paper, which report the noble Marquess had in his hand while he spoke, but from which he omitted to quote the passage to which he alluded. That passage was as follows:—

> "The Bishop's sermon, taken from the Prophet Jeremiah, was one of the most striking and deeply spiritual discourses we have ever heard his Lordship deliver. In one part of it he gave an account of the first introduction of bells into the early churches, and described the gradual growth of those gross and baneful superstitions which formerly attended their erection, forcibly dwelling on the contrast between them and the offering up of our prayers that God would accept the work of our hands for His glory and for the benefit of His people."

He would only, in conclusion, bear his testimony to what the right rev. Prelate had accomplished, to his own knowledge, in the diocese of Oxford. He would state, from his own knowledge of the diocese of Oxford, that he knew nobody who was so happy in uniting moderate men of all shades of opinion and impressing them with the religious character and fervour of his work than his right rev. Friend who presided over that diocese.

THE MARQUESS OF **WESTMEATH** said, he had not given the right rev. Prelate notice simply because he thought there was no time to be lost in drawing attention to the subject before the appointment of the Royal Commission, of which the Bishop of Oxford, who seemed desirous of having a hand in everything, might wish to be a member — a position for holding which he (the Marquess of Westmeath) held he was incapacitated by what had taken place. He had no passage of anything relating to this subject in his hand which he had purposely omitted, and he did not understand the charge the noble Duke had made against him; but if there had been anything omitted which was pertinent to the case, it must have been that he was averse to overlay the subject with too many quotations.

Petitions to lie on the table.

STATE OFFICES—THE NEW BUILDINGS.

MOTION FOR A RETURN.

LORD **REDESDALE** said, he rose to call attention to the state and character of the new Buildings which were being erected for the Government Offices near Downing Street, and to move for a Return in connection therewith. Their Lordships must have been struck with the great size of the buildings which had been already erected, and the incomplete state in which they were left, and also with the fact that no further progress was apparently being made to cover the site still vacant with the buildings necessary for the other offices. They understood that the new Foreign and India Offices were to be the first erected; and he wished to know whether it was intended that those large buildings were to be occupied solely by those two Offices, or whether any other of the public Departments would be accommodated in them. They all knew that it was much more expensive to live in a large house than in a small one; and it was a question of great importance to consider what additional expenditure would attend the transfer of the staff and business of those Offices from the old quarters to the new. He should therefore like to know whether any estimate had been made of the difference of charge for the respective Offices in occupying the new buildings as compared with the charge for occupying the old ones. He was afraid that the great extra expense would not be fully compensated by great additional advantage to the public. The new buildings were also of great height, and he did not know how they were to be usefully occupied. He supposed that all the documents and papers would be sent to the higher stories, which would be extremely inconvenient; and that possibly some few of the attendants would live there. He wished likewise to ask whether it was intended to pull down the present Colonial Office before the new building was prepared for the reception of that Department. That, he conceived, would cause a most wanton expenditure. He understood that when the Foreign Office was removed, the Colonial Office would be moved into its place; but all these temporary changes from one building to another involved a large expense. He wished to know how much of the property in Parliament Street and King Street had been purchased for the extension of the new State Offices, whether any plan was in existence for the completion of those buildings, whether its execution was in the hands of the same architect as the rest, how it was to be carried out, and what offices were to be accommodated in the buildings there erected? He should also like to have an answer to a Question which he had asked when those buildings were first projected — namely, how the buildings in Downing Street were to be joined to the new buildings? He thought it would be extremely difficult to make a good junction between them, and that the result when the work was completed would be eminently unsatisfactory. What, again, was proposed to be done on the south side of Charles Street, and with that portion of the ground which was lying waste? If it was intended for public offices, he supposed it would be requisite to purchase ground for the frontage towards Parliament Street, and also for the frontage towards the Park. He thought there ought to be a far more matured scheme for the accommodation of all these different public Departments; and, as far as possible, none of the Departments should be removed until the new buildings intended for their use were ready for their reception. In that part of the town they had a large space now left in a disgraceful state as far as appearances went, and also in a most useless state as respected the public advantage. The subject was one which ought to be attended to, and that as speedily as possible.

Moved, That there be laid before the House, Return of Property purchased in Parliament and King Streets for the Extension of the new State Offices.—(*The Lord Redesdale.*)

The Duke of BUCKINGHAM said, the answer to that part of the noble Lord's Question with regard to the ground bought as sites for the Public Offices which was now lying idle was, that the House of Commons had not yet voted the money required for the buildings which were to occupy that ground, and therefore it was impossible to proceed with their erection. As to how much of the site fronting Parliament Street had been purchased, he might state that a considerable portion of the freeholds and leaseholds had been bought. There were four properties remaining, of which neither the freeholds nor the leases had been purchased. The present new buildings were to be entirely appropriated to the India Office and the Foreign Office. The new India Office had been built with funds supplied from the Indian revenue, and the amount paid to the Commissioners of Works for the portion of the land required for it was £86,000. Her Majesty's Government had no jurisdiction in respect to the interior arrangements of the India Office. The estimated cost of the portion of the building which was to be occupied by the Foreign Office was £250,000, and the cost of the site £89,000. The new Foreign Office would contain accommodation for the clerks employed in the Department, and for the papers belonging to the Office, which were formerly kept in the State Paper Office; and the necessary arrangements for printing and other matters connected with the Department were likely to occupy the greater part, or nearly all, of the available room. The rooms in the new building were not so numerous as those in the old one, though they were larger. Large rooms were required, and the upper portion of the building was to be devoted to the storing of papers. A new Colonial Office was to be built, and the subject of the accommodation was under the consideration of a Commission appointed by the Treasury to consider generally the question of the Public Offices. No one would deny the great importance of having the Public Offices together. To have one portion of the staff in one street, and another portion in another street, was most inconvenient; but until the House of Commons devoted sufficient funds to supply the requisite accommodation, the inconvenience and the expense must be borne. He had before him a letter from Mr. Gilbert Scott, stating that he did not think there was any reason to complain of the want of speed at which the works were proceeding. On the contrary, he stated that he had had to restrain the builders from proceeding too rapidly with some portions of the fine work. With regard to the ground fronting Charles Street, beyond the India Office, no plan had been agreed to with regard to its occupation.

Lord REDESDALE said, he should like to know whether the House of Commons had been asked to vote the money necessary to carry on the required buildings. He believed that if an application were made for a moderate sum of money it would be cheerfully met. The question he had asked why the houses fronting Charles Street had been pulled down if no plan was ready had not been answered. The ground, which was once profitably occupied, had been cleared, and was now unprofitable, and could not be made the site of new official buildings without further purchases being made at both ends, to the Park and to Parliament Street.

House adjourned at a quarter before
Eight o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, April 9, 1867.

MINUTES.]—PUBLIC BILLS—*Resolution in Committee*—Limerick Harbour.

Ordered—Representation of the People (Ireland); Game Laws (Scotland)*; Mixed Marriages (Ireland)*; Corrupt Practices at Elections; Labouring Classes' Dwellings Acts (1866) Amendment*; Limerick Harbour.*

First Reading—Representation of the People (Ireland) [115]; Game Laws (Scotland)* [116]; Limerick Harbour (Composition of Debt)* [117]; Labouring Classes' Dwellings Acts (1866) Amendment* [118]; Corrupt Practices at Elections [119]; Mixed Marriages (Ireland)* [120].

Committee—Offices and Oaths [7]; Transubstantiation, &c. Declaration Abolition [6]; Fortifications (Provision for Expenses) [104]; Public Libraries (Scotland) Acts Amendment* [92].

Report—Offices and Oaths [7]; Transubstantiation, &c. Declaration Abolition [6]; Fortifications (Provision for Expenses) [104]; Public Libraries (Scotland) Acts Amendment* [92].

Third Reading—Criminal Law [8]; Policies of Insurance* [85], and *passed.*

THE NEW FOREST—LICENSES TO SHOOT.—QUESTION.

COLONEL HAMLYN FANE said, he wished to ask, Whether it is proposed to maintain the license to shoot in the New Forest at its present rate of £20; and, further, whether the Government are aware that the said rate has caused great dissatisfaction to those residing in and around the Forest, and who greatly assist in the preservation of game for the Crown? He also wished to know what number of licenses have been granted under the Act of last Session?

MR. HUNT said, he had to state, in reply, that it was intended to continue the present rate at which these licenses were granted. He was aware that dissatisfaction on the ground of that rate prevailed among those residing in and around the Forest, and perhaps it was not unnatural for those who had formerly enjoyed the privilege gratuitously to complain, even though it now cost them merely a nominal consideration. At the same time, it must be remembered that this regulation was made when the Act relating to the Crown Lands was under the consideration of the House, and therefore all parties interested were fully aware of the change contemplated. With reference to assistance in the preservation of game for the Crown, he believed there was some reciprocity in the matter. He was not aware till a few minutes ago that the hon. and gallant Gentleman intended to ask any Question as to the number of licenses granted, and he therefore could not at present state the number.

ELECTION PETITIONS COMMITTEES.

QUESTION.

CAPTAIN ARCHDALL said, he would beg to ask Mr. Chancellor of the Exchequer, If, in the opinion of Her Majesty's Government, the present tribunal for the trial of Election Petitions is a satisfactory tribunal; and, whether he will consider the advisability of endeavouring to frame Clauses in the Bribery and Corruption Bill which shall define the limits beyond which clerical interference becomes "undue influence," and which shall state the precise amount of violence required to constitute a "general riot" at an Irish Election?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I hope to obtain leave to bring in a Bill on the subject of bribery, corruption, and undue influence to-night; perhaps I may induce the House to read it a second time on Thursday; and then on going into Committee my hon. and gallant Friend will have the opportunity of suggesting any clause he may deem advisable, if he thinks the provisions proposed by Her Majesty's Government are not adequately efficacious.

MR. GLADSTONE said, he was unfortunately not present the previous evening, when the business for Thursday was arranged. He therefore wished to ask, whether the first Order would be the Representation of the People Bill?

THE CHANCELLOR OF THE EXCHEQUER: Yes; there will be no disturbance of the arrangements made.

METROPOLITAN BOARD OF WORKS.

QUESTION.

MR. TREEBY said, he wished to ask the Secretary to the Treasury, Why the Return ordered on the 16th May 1866, relative to the Metropolitan Board of Works, has not been made; and, if he is able to inform the House when that Return will be laid upon the table of the House?

MR. HUNT replied, that he was not able to give any precise information to his hon. Friend as to the cause of the delay, the Metropolitan Board of Works not being under the Treasury. He had, however, made inquiry, and found that the preparation of the Returns had occupied a very considerable time, for which he was not responsible. The Return, however, had been laid on the table that day.

UNJUST WEIGHTS AND MEASURES CONVICTIONS.—QUESTION.

Mr. ROEBUCK said, he would beg to ask the Secretary of State for the Home Department, Whether, in his opinion, it is lawful for Magistrates in Petty Sessions to sit with closed doors, and, during the exclusion of the public, to convict persons charged with the offence of using unjust Weights and Measures; and, whether he is aware of the fact that certain of the Metropolitan Magistrates have in such manner convicted persons so accused?

Mr. WALPOLE, in reply, said, it certainly was not lawful for magistrates in petty sessions to sit with closed doors. It was an open court. With respect to the other question, whether he was aware of the fact that certain of the metropolitan magistrates had in such manner convicted persons so accused, he had made inquiries, and thought his hon. and learned Friend must have made some mistake; for out of the thirteen metropolitan courts, only two—Marylebone and Wandsworth—had any questions of weights and measures brought before them. In all these cases business had been conducted with open doors.

Mr. ROEBUCK said, he had been in error. He should have stated the Surrey magistrates instead of the metropolitan magistrates.

Mr. WALPOLE said, he would make inquiry into any particular cases which might be brought under his notice.

Lord EUSTACE CECIL said, that the Secretary of State for the Home Department had promised to introduce a measure on this subject, and he should like to know when that promise would be fulfilled?

Mr. WALPOLE said, he hoped to be able to introduce his promised Bill on the subject of Weights and Measures soon after Easter.

CATTLE PLAGUE—EXHIBITIONS OF LIVE STOCK.—QUESTION.

Mr. ACLAND said, he wished to ask the Vice President of the Committee of Council, Whether the Privy Council have come to a decision, and if so what decision, on the application of several Agricultural Societies for permission to hold exhibitions of live stock during the summer of the present year; and, whether such decision, if any, imposes any restrictions on the exhibitions of animals other than horned cattle?

Lord ROBERT MONTAGU, in reply, said, the Privy Council had had this subject under their consideration for a considerable time; and being aware that there were five places in England affected by the cattle plague, it was thought not advisable to alter the Order in Council of the 24th of March 1866, so as to allow of exhibitions of lean (not fat stock), during the present summer. That Order in Council, he begged to add, applied only to cattle, not to sheep nor to other animals.

LANDLORD AND TENANT (IRELAND) BILL.—QUESTION.

In reply to Mr. Gregory,

The CHANCELLOR of the EXCHEQUER said, he thought it would be agreeable to Irish Members to fix the Landlord and Tenant Bill as the first Order on Monday, the 29th instant. In the present state of public business he should not be able to name another day.

CANADIAN LOAN GUARANTEE. QUESTION.

In reply to Mr. Whatman,

Mr. ADDERLEY said, that the security for the proper expenditure of the Canada loan was twofold. One clause prevented the Treasury from giving a guarantee until they were satisfied that local Acts provided for the raising, expending, and appropriating the loan. Another clause provided that, in the event of any waste or excess in the expenditure of the loan, such waste or excess must be met by the Canadian revenue before any part thereof was applied to any other purpose.

REPRESENTATION OF THE PEOPLE BILL—CLAUSE 3.—NOTICE.

Mr. GLADSTONE: Sir, I placed on the Paper, without loss of time, certain Amendments which I proposed to move on the 3rd clause of the Parliamentary Representation Bill. But there is another Amendment which, though not on the clause, is so germane to it that I am desirous of giving notice of it for the convenience of the House. In the event of the adoption of the Amendment fixing the limit of the rateable valuable in Parliamentary boroughs, I shall propose a clause to provide that whenever the rateable value of any tenement falls below £5 by reason of the deduction of more than 20 per cent from the gross estimated rental the occupier thereof may claim to vote, and may thereupon, if otherwise qualified, be registered. The object of the clause is to provide for certain cases of great inequality of rating. I have stated merely the substance of the clause.

LONDON, CHATHAM, AND DOVER RAILWAY COMPANY.

MOTION FOR A SELECT COMMITTEE.

SIR MORTON PETO said, he rose to move for a Select Committee to inquire into the means adopted by the London, Chatham, and Dover Railway Company for raising the share capital and exercising their borrowing powers under the various Acts of Parliament authorizing the construction of the main line and its extensions and branches. He should be wanting in candour to the House did he not at once state that he felt that he had grievous reason to complain of what he conceived to be the unfair and improper manner in which his name had been so prominently put before the public in connection with this company. It was not, however, upon his own account, but upon public grounds, that he asked the House to appoint this Committee, as he believed that a careful review of all that had transpired in connection with this company by a Select Committee of that House would teach the public some valuable lessons with respect to the legislation in the future for railway companies. In drawing the attention of the House to a few of the main circumstances connected with this company, he might state, in the first place, that the line with its various branches was 136 miles in length, while no less than twenty-six Acts of Parliament, or something like an Act of Parliament for each five miles of the line, had been passed by that House in connection with this company. When the House took into consideration that these Acts had only been obtained after the severest competition and at great cost, he thought it would concur in the necessity for the appointment of a Committee to inquire into the expediency of permitting a single company to indulge in such an excess of legislation. The whole line had been split up into five distinct undertakings, having their own separate capitals and interests, which were worked by the parent line at certain fixed rates and charges. No less than thirteen suits in Chancery had been instituted by the various interests connected with these separate lines, to determine the rights of each against the others. There were twenty-four debenture powers arising out of these lines, and there were as many Chancery suits pending to determine the rights under each; there were twenty-nine separate share powers, and there were three separate share powers to be charged upon funds not yet created. He felt strongly that these facts formed a sufficient ground for inquiry by a Committee without personal imputations being thrown upon any one. One fact that had come prominently before him in 1863, when he first knew the position of the company, was that while the actual capital of the company consisted of several millions, the nominal capital, the holders of which alone possessed any control over the company, only amounted to £700,000. He hoped that in all future railway legislation, the House would feel the necessity for making some provision by which the debenture-holders and others having pecuniary interest in a railway company might have a power of veto with regard to the undertaking of additional schemes by the company. He would also suggest that companies should possess the power of abandoning all such schemes as were actually found not to be required, which would be a source of great and immediate relief. With regard to the constitution of the Committee he should wish, if it were appointed, that its members should be chosen by the Committee of Selection, so that it might command the entire respect and confidence of the House and the country. Although in making this application he only had in view the London, Chatham, and Dover Railway Company, yet it would be quite possible, if the House should think fit, to extend the power of the Committee to inquire into the circumstances connected with any other railway they might think proper. On these grounds he trusted the House would grant the Committee—and that the hon. Member for Maidstone would not press the Amendment of which he had given notice.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the means adopted by the London, Chatham, and Dover Railway Company for raising the share capital and exercising their borrowing powers under the various Acts of Parliament authorising the construction of the main line and its extensions and branches."—(*Sir Morton Peto.*)

The CHANCELLOR of the EXCHEQUER: I confess that, having listened to the terms of the Motion of the hon. Member for Bristol, I have great difficulty in ascertaining and in recognising the connection between the subject of his Motion and the duty of the House of Commons to investigate it. No doubt we all know that there have been great disasters in connection with the enterprize, and I am sure that all who know personally the hon. Member for Bristol must regret that he has in any way been connected with those disasters. For myself, I may say that I have recognised with admiration the enterprize and energy of his character, and I deeply regret that he should have been mixed up with these troubled affairs. The House must also sympathize with an hon. Member who has sat among us for so many years, and who has shown so many high qualities which entitle him to our respect. Still, I think we must hesitate before we authorize—for the purpose of obtaining some object which it is natural that the hon. Gentleman should wish to attain—an investigation into matters with which it appears to me the House of Commons has no concern. The undertaking with reference to which this inquiry is sought is what, in comparison with the other proceedings of this House, we may call a private speculation, and those who have become connected with it must be prepared to take upon themselves all the responsibilities which may have arisen in consequence of its affairs not having turned out satisfactorily. I ask the House to consider for a moment where the line is to be drawn in the event of our assenting to this application of the hon. Member. If, in the event of any observations having been made upon the conduct of any individual Member of this House, in connection with any transaction, however extensive, we are to be asked successively to grant a Committee of Inquiry, I wish to know where the line is to be drawn? If we are to examine into the affairs of the London, Chatham, and Dover Railway Company, whose affairs have never been brought before the House of Commons, and with which the House of Commons has no connection, why should we not investigate the affairs of any other railway company, and why should we limit such inquiries to railway companies, and not extend them to the circumstances attending the failure of any great bank with which any Member of this House might be connected? If we agree to enter into the investigation of the case of this railway company, would not that Member have a right to come forward and ask us to inquire into the affairs of that bank, on the ground that its failure had created a great sensation in the public mind, and that many persons had complained that they had been much injured by the conduct of the managers of the concern—the imputation being altogether false — and therefore that if we would investigate the matter it would be shown that, although unfortunate, the conduct of the managers had been strictly prudent? The energies of the House of Commons are sufficiently tasked at the present moment in dealing with questions affecting the public interest, and I very much regret, therefore, that the hon. Member for Bristol has found it necessary to make this Motion. I cannot advise the House to agree to the Motion; as, if they do adopt it, I am sure they will establish a precedent which they will afterwards very much regret. Under these circumstances, if the hon. Member for Bristol persists in his Motion I shall feel bound to oppose it.

Mr. T. BARING said, he wished to ask the hon. Member for Maidstone whether he intended to proceed with his Amendment, an Amendment which, from its wording, seemed to imply that the hon. Gentleman had some charges to make against certain hon. Members in that House?

Mr. WHATMAN felt that, after the opinion that had been expressed by the right hon. Gentleman the Chancellor of the Exchequer given against the appointment of a Committee, he should not be justified in persevering with his Amendment. At the same time, he wished it to be perfectly understood that he was willing to meet the hon. Gentlemen who were mentioned in the terms of his Motion in any way they might think proper.

Viscount CRANBOURNE: I do not know, Sir, whether we are to regard the last speech as equivalent to a challenge; but without entering into private matters of that nature, I wish to draw the attention of the House to the fact that an hon. Gentleman has placed upon the notice paper an Amendment couched in language clearly insinuating something amounting to fraud on the part of three Members of this House, and that the hon. Gentleman does not substantiate his charges when called upon to do so. I do not know whether any breach of order has been committed; but, if not, I still think that the opinion of the House ought to be expressed in discouragement of conduct which certainly constitutes a breach of the ordinary course of Parliamentary practice.

Mr. WHATMAN said, he desired it to be perfectly understood that if it was the wish of the House he was quite prepared to make his statement.

Mr. CRAWFORD said, he rose to order. He believed that no hon. Member was in order in bringing under the consideration of the House the conduct of any hon. Member unless the conduct complained of had been committed by the hon. Member accused in his capacity as Member of Parliament or in the House of Commons. He therefore submitted to the House that it would not be in order for the hon. Member for Maidstone to proceed.

Mr. SPEAKER: A notice of a somewhat personal nature has been placed on the Paper referring to the affairs of a certain railway company, and an hon. Member proposes to add to that Motion "and also into the means adopted" by certain Members of this House "for raising money" in connection with certain railway companies. An hon. Member who spoke just now says that the Amendment contains an insinuation of fraud. The words do not directly bear that construction. Whether anything out of order may arise in the discussion proposed by the hon. Member for Maidstone, it is not for me now to say; but there is nothing in the notice placed on the Paper that can be considered as a violation of order.

Mr. GLADSTONE: I apprehend, Sir, that technically, the hon. Member for Maidstone would be prevented from giving his explanation to the House on the ground that he has already addressed us once. I think, however, that the wish of the House has been misunderstood by the hon. Gentleman in his very natural desire to vindicate himself from any imputation of cowardice in shrinking from proceeding with his Amendment. It was very natural and laudable, too, that any hon. Member who felt himself to be injuriously affected by that Amendment, should challenge its being proceeded with; but I do not believe that it is the wish of the House that that course should be adopted. When my hon. Friend the Member for Maidstone rose in his place I expected that he would, as I think he is bound to do, disavow any imputation with regard to the three Members mentioned in the Amendment, and now that no charge has been made against those hon. Members, we ought to regard their conduct as in no degree affected. I trust, therefore, if this discussion does not proceed, as I do not believe it can proceed, that those three hon. Gentlemen, whose high character and untainted honour are well known to us, will be regarded as being still as free from dishonour or suspicion of crime as they ever have been. With regard to the original Motion I have little to say beyond echoing the remarks of the right hon. Gentleman the Chancellor of the Exchequer, both with regard to the just tribute he has paid to my hon. Friend the Member for Bristol, a man who has obtained a high position in this country, by the exercise of rare talents, and who has adorned that position by his great virtues, and also in the course which the right hon. Gentleman has recommended the House to adopt. The right hon. Gentleman was perfectly right in representing to my hon. Friend that he has no *locus standi* in this House for proposing his Motion. It may be true, perhaps, that my hon. Friend might be justified in making such a Motion on the ground that railway companies solicit special Parliamentary powers, and that Parliament itself claims greater powers over railway companies than it does over other companies; but still, when it becomes a question of policy, I think that the observations of the right hon. Gentleman the Chancellor of the Exchequer are unanswerable, and that we cannot draw the line between the case of those embarrassed railway companies and other companies in positions more or less analogous. The consequence of acceding to this proposition would probably be very considerable embarrassment in the conduct of this inquiry, and undoubtedly great future embarrassment in dealing with the precedent which this Motion would set up. I hope, therefore, my hon. Friend will consent to withdraw his Motion.

Mr. T. BARING said, he wished to call the attention of the House to the position in which the question then stood. The hon. Member for Bristol had moved for a Committee of Inquiry as regarded himself, whereupon the hon. Member for Maidstone proposed an Amendment, asking inquiry into the conduct of other Members. The hon. Member placed on the paper, where it remained for several days, a notice reflecting on the conduct of other hon. Members, and when he (Mr. T. Baring) asked him whether he meant to persist in his Motion, his answer was that he was ready to give him any explanation anywhere else, but that it was not his intention to proceed with the Motion. Hon. Members might say that the matter should drop there; but surely when a Gentleman said that although he did not mean to persist with his Motion, he was ready to proceed if the House wished him to do so, there was no real withdrawal of the Motion. He (Mr. T. Baring) thought the House was bound, in justice to the hon. Members whose names were mentioned in the Amendment, to allow the hon. Member to proceed.

Mr. WATKIN said, he addressed the House with the deepest pain. The hon. Member for Maidstone was his Colleague in one important undertaking, and his hon. Friend the Member for Huntingdon was his Colleague in another. For both he had great respect. Some years ago the shareholders and bondholders in the latter enterprize, then in much difficulty, put the whole concern into his hands, and it became his duty fully to investigate everything connected with it, and especially the transactions for which the hon. Member for Huntingdon was responsible, and he was bound in duty to say that he had come away from that inquiry with admiration for the honour, uprightness, and the other high qualifications characteristic of the British merchant, by which the conduct of the hon. Member for Huntingdon had been distinguished. No doubt, the enterprize with which they were now both connected, had been unfortunate; but if men were to be hunted down because any enterprize with which they were connected had been unfortunate, where was this persecution to stop? The hon. Member for Huntingdon had become connected with this undertaking in his capacity of agent for one of the colonies, and he stood by it through good report and through evil report, and risked his own money to a large extent, in order that the work might be completed in its integrity as a property. When the day of settlement arrived, the hon. Member had in his possession securities amounting to several hundred thousand pounds, given to him to cover advances, which he might have realized for his own benefit; but, instead of doing so, he took his position as an ordinary creditor, in a manner that did him infinite credit, and he gave up these securities without condition. As representative of the bondholders and chairman of the company, he felt bound to express his high admiration of such conduct. He might also mention that at a meeting of the company to which he had alluded, at which some of the largest bond and shareholders attended, a resolution of thanks was unanimously voted to the hon. Member for Huntingdon for the magnanimous conduct which he had displayed.

Mr. KIRKMAN HODGSON said, he desired to make a few observations, because he was personally interested in the implied charge against those concerned in the conduct of the Grand Trunk of Canada Railway. Any charge with reference to that matter which was brought against the hon. Member for Huntingdon should also be preferred against the hon. Member for Kendal and himself, for nothing connected with the financial arrangements of that undertaking had been done or sanctioned by the one which had not also been sanctioned by the others. He was, indeed, proud to regard himself as included in this implied censure; for nothing had been done in the matter by himself and those associated with him which he was not prepared to justify, defend, and explain in that House or before any tribunal whatever; he would not say "anywhere else," because the phrase was capable of varied interpretations, but he would say that he was willing to meet those implied charges before the bondholders or shareholders, or any tribunal of law or equity.

Mr. WHATMAN said, that when he used the words referred to, he meant in that House or anywhere else. If he had appeared to go beyond what he ought to have done, he was now perfectly willing to express that he did not intend to attribute any personal act to the hon. Member for Huntingdon. He had merely raised this question on public grounds, and by reason of the confidence given to the public by so great a name being attached to the guarantee. If he had said one word more than he ought to have done he was willing to withdraw the expression.

Mr. FRESHFIELD said, that the hon. Member for Maidstone had withdrawn the inferred charge against the hon. Member for Huntingdon, who was no doubt infinitely obliged to him. With respect, however, to himself, he could tell the hon. Gentleman that he was ready to meet any accusation which any hon. Member might make against him, either in the House or out of it; but he demanded from the hon. Member an explanation as to his grounds for making the accusation he had. As far as he understood the Amendment of the hon. Member, it charged him, in company with the hon. Member for Huntingdon and the hon. Baronet opposite, with some guilty conduct in respect of the raising of money for the Grand Trunk of Canada Railway. As a matter of fact, his connection with that railway was very simple. He was an original shareholder, and had paid cash for the full price of his shares. Originally those shares stood as a first charge on the concern; they had since been converted into a fourth charge, under an arrangement made by the hon. Member for Stockport, who had assured the shareholders that the arrangement referred to was for their advantage. Possibly it was so. [Mr. WATKIN protested that he must explain.] He had great faith in the business qualities of the hon. Member for Stockport. What he had said was not spoken as a covert charge; he had no doubt that the arrangement was to the benefit of the shareholders. Leaving that point, however, he remarked that all he had to say with reference to the concern was, that it had been unfortunate. Still, he insisted that it had been managed honestly; and not a breath of calumny had been raised against its conductors, except what had been thrust upon the House by the hon. Member for Maidstone. He was quite sure, however, that no Member of the House would believe that any of the hon. Gentlemen concerned in the management of that company had done anything inconsistent with professions of the highest possible character. But the hon. Member had also made some indefinite charge against him with reference to the raising of money for the London, Chatham, and Dover Railway Company. He asked him upon what authority he implied a charge; and, if no charge were implied, then what he meant to convey by his Amendment? The contents of the notice papers of the House were not circulated in the metropolis alone; they found their way to every part of the mercantile world; and the Amendment of the hon. Member, with its implied charge, had gone with the rest. The hon. Member was therefore bound to tell the House what he meant. He especially desired him to explain himself because he courted the opportunity to answer whatever statement the hon. Member might make. He could not, consistently with order, go into the history of the London, Chatham, and Dover Railway himself. He admitted, however, that the firm with which he was connected had conducted the legal business of the company for many years; and he ventured to say that there was no undertaking of greater public importance; nor had any undertaking been more independently and honourably promoted. The railway had been originated to meet the requirements of the landowners of Kent; and it had grown as necessity for it arose. It was first a line from Chatham to Canterbury, then it stretched from Canterbury to Dover, and finally obtained powers to run up to London, when it became a great undertaking. It had been unfortunate, but its misfortunes could not be referred to him; and he called upon the hon. Member to substantiate his charges, or, if he could not do so, to withdraw them. He (Mr. Freshfield) could not be content to ride off on the high character of the hon. Member for Huntingdon, for he also had a character to lose—a character that was very dear to him. He thought the hon. Member for Maidstone owed it to the House to proceed with his Motion.

SIR MORTON PETO said, that after the observations which had been made by the Chancellor of the Exchequer and the right hon. Gentleman the Member for South Lancashire, he had no choice but to withdraw his Motion. At the same time, he could not refrain from thanking those right hon. Gentlemen for the courteous terms in which they had spoken of him. He was especially thankful to the Chancellor of the Exchequer. After having sat in the House for twenty years, with the exception of a brief interregnum, in political opposition to the right hon. Gentleman, the remarks which had fallen from him were extremely gratifying to his feelings.

MR. THOMAS CAVE said, he desired to repeat, in behalf of his hon. Friend the Member for Maidstone, that he had taken action in the matter simply because he was under the impression that the public desired some Parliamentary investigation into the financial questions he referred to. His hon. Friend also wished him to say that his sole motive for withdrawing the

Amendment was that the hon. Member for Bedford, who was the Chairman of the Committee of Elections, had told him that it was not the province of Committees of the House of Commons to inquire into matters connected with railways which had not previously come under the cognizance of the House. Thus the motive of his hon. Friend for giving notice of the Amendment was simply a public one; and his motive for withdrawing it was not to be traced to unwillingness to go into it.

Mr. Serjeant GASELEE said, that the hon. Member for Maidstone ought not only to be ready to retract, but he (Mr. Serjeant Gaselee) thought it ought to be done almost upon his knees. If the hon. Gentleman could not speak himself—if he were a mere puppet in this matter—the hon. Gentleman should have come forward in a manly manner to express regret, and to make apology to those Gentlemen whom he had slandered.

Motion, by leave, *withdrawn.*

REPRESENTATION OF THE PEOPLE (IRELAND) BILL.

LEAVE. FIRST READING.

Colonel FRENCH said, that in moving for leave to introduce a Bill to amend the Representation of the People of Ireland, he should desire to explain the reason why on a previous occasion he had declined to relinquish his place on the list upon "a private Member's night" in favour of the Government measure. He believed he was correct in stating that once only in the course of his thirty-five years' experience in Parliament had an attempt been made to oust private Members from the position which they attained by the exercise of much personal watchfulness, and after the chances of the ballot. That attempt was made in the plenitude of Lord Palmerston's sway, and proved unsuccessful. He was very anxious to have an opportunity of laying his views on this matter before the House previous to the Easter recess, so as to obtain the opinions at once of the Government and of the country upon the subject. He likewise felt that a proposal emanating from a private Member might not be inexpedient, seeing that the plans propounded by successive Governments in late years had shown a steady deterioration. By the Reform Act the registered voters in Ireland had certain modes appointed for them by which they might place their names upon the register; £50 and £20 freeholders were enabled to register their right to vote for life, and those having a £10 interest could register for seven years, during which time their votes could not be questioned. When Earl Russell, however, brought forward his Reform Bill of 1850, he disregarded these circumstances. But the Bill of 1850 introduced by Earl Russell terminated in the most unjustifiable manner the rights of these persons. The excuse given was a curious one. These rights were extinguished in order that Ireland might have the benefit of a rating franchise—the very franchise which Earl Russell's Government repudiated last year in England, and went out of office rather than consent to. The next measure on the subject was that proposed by the right hon. Gentleman the Member for Oxford, which included a provision enabling Irish Peers to represent both county and borough constituencies, which was in direct contravention of the Act of Union. Very short work was made of that proposal; he himself presented to Lord Palmerston a protest, signed by eighty Members, against it, and the matter was abandoned. But more objectionable than anything else which had gone before was the measure which was brought forward last year by the right hon. Gentleman (Mr. C. Fortescue). It proposed to unite two boroughs, sometimes at a distance of sixty miles apart, and then to semi-disfranchise them. The first glance at the measure suggested that it must have been framed with the object of securing the seat of the principal Law Officer of the Crown. Of course, he did not insinuate that there had been any such object in view; but, remembering the time when Irish business was carried on by Lord Palmerston's Government with hardly any official from Ireland in the House, it was not unnatural that when a Liberal Government had the assistance of two able men in Parliament they should endeavour to keep them there. He did not propose by the present Bill to disfranchise any boroughs in Ireland, but to group with them other towns in the vicinity, so that in no case would one borough have less than 1,000 voters. Neither did he propose, as former Bills had done, to give additional Members to Cork or Dublin. Cork had already eight Members, and admitting it to be the largest county in Ireland, it must be borne in mind that Mayo, Galway, and Donegal, the next in point of size, had only eight

Members collectively. What claim, then, could Cork, or Dublin either, successfully put forward to extra representation? One feature of the Bill of his right hon. Friend the Member for South Lancashire—the lodger franchise—he proposed to adopt; but fancy franchises, whether literary or monetary, whether dependent on intellectual or pecuniary qualifications, he entirely threw aside. He proposed that the county franchise should be reduced from £12 to £8; which was the limit originally fixed by the Bill of Earl Russell in 1850, and he knew no reason why it should not be adopted now. Large reductions in the county franchise had been sanctioned, in principle at least, in England. The Government of last year proposed a reduction from £50 to £14; the present Bill fixed the limit at £15. If such large reductions were expedient and proper in England, what reason was there why a corresponding reduction should not take place in Ireland, from £12 to £8? There was another reason in favour of the reduction of the county franchise in Ireland. The reduced amount of the suffrage would give landlords a greater interest in keeping their tenants upon their land, and so tend to diminish emigration. With a reduced borough suffrage from £8 to £4, there would be no difficulty in providing that every existing borough in Ireland should have a constituency of 1,000 voters. Eight towns in Ireland already had more than 1,000 voters, and with these—namely, Belfast, Cork, Dublin, Galway, Limerick, Londonderry, Newry, and Waterford—he did not propose to interfere. With twenty-five other boroughs, possessing very small constituencies, it would be necessary to deal. Portarlington, for instance, had only seventy-five voters at present. And what he proposed was, in the case of those diminutive boroughs, to group with them other towns in the neighbourhood, so as to bring up the number of their voters to the prescribed limit. The towns to be grouped were the following:—Armagh, with Portadown and Ballybay; Athlone, with Mullingar, Roscommon, and Longford; Bandon, with Drummany, Macroom, and Bantry; Carlow, with Athy, Tallow, and Bagnalstown; Carrickfergus, with Larn and Antrim; Cashel with Thurles, Tipperary, and Nenagh; Coleraine, with Ballymena, Ballymoney, and Portrush; Clonmel, with Carrick-on-Suir, Carrickbeg, and Cahir; Dundalk, with Kells, Navan, and Trim; Downpatrick, with Newtownards, Newcastle, and Donaghadee; Drogheda, with Balbriggan; Dungannon, with Omagh and Strabane; Dungarvan, with Lismore and Cappoquin; Ennis, with Kilrush, Ennistimon, and Gort; Enniskillen, with Monaghan, Ballyshannon, and Cavan; Kilkenny, with Thomastown and Callan; Kinsale, with Skibbereen and Clonakilty; Lisburn, with Lurgan and Banbridge; Mallow, with Fermoy and Charleville; Portarlington, with Maryborough, Mountmellick, and Tallamore; Sligo, with Ballyna, Ballymote, and Boyle; Wexford, with Gorey and Wicklow; New Ross, with Enniscorthy and Tagmon; Tralee, with Killarney, Kenmare, and Dingle; and Youghal, with Queenstown and Midleton. He also proposed to assimilate the Parliamentary and municipal boundaries of towns. This Bill had the merit, or demerit, of not being framed to further any particular interest, but had been prepared solely with a view of giving a fair and full representation to the whole country. He hoped, therefore, that the Government would allow him to bring in the Bill, so that it might be printed and circulated, in order that the Irish Members and the Irish people might at once have an opportunity of expressing their opinion as to its provisions. He courted criticism, was ready to adopt any improvement the House might consider desirable; but, at the same time, was prepared and ready to defend the principle and detail of the measure against all comers.

Mr. VANCE said, he did not think that the Bill which the right hon. and gallant Gentleman had sketched was likely to find much favour in that House, especially since the Government had promised to bring forward a Bill of their own shortly after Easter. In detailing the provisions of the Bill, the right hon. and gallant Gentleman had omitted to name the sum at which he proposed to fix the borough franchise. [Colonel French: £4.] And the hon. Member proposed to have the county franchise at £8, the Government having fixed the English county franchise at £15. This did not seem to be right. The borough franchise in Ireland was now £12, and he did not think it could safely be reduced below that amount. The right hon. and gallant Gentleman then proposed to group towns with boroughs so as to make up the number of 1,000 voters, but perhaps he had not calculated how much the number of such boroughs would be increased when the franchise was brought down to £4. He (Mr. Vance) thought that additional seats should be given for places in the province of Ulster, where there was great increase of wealth and commerce. Some other districts also had a claim for more Members; and, indeed, he thought that Ireland, taken as a whole, had less Members than she was entitled to. He agreed that the proposition to allow Irish Peers to represent constituencies was very objectionable; but he hoped that the Reform Bill for Ireland promised by Her Majesty's Government would be founded on very different principles from those on which the right hon. and gallant Gentleman had proceeded.

Lord NAAS said, that the Government did not object to the introduction of the Bill, as it was desirable that the House should see the scheme which had been framed by so experienced a Member. He must, however, reserve the opportunity of expressing his opinion on the measure until a future occasion.

Motion *agreed to.*

Bill to amend the Representation of the People in Ireland, *ordered* to be brought in by Colonel French and Mr. Marsh.

Bill *presented,* and read the first time. [Bill 115.]

TOTNES ELECTIONS.

RESOLUTION.

Sir LAWRENCE PALK said, he rose to call the attention of the House to the Report of the Commissioners on Bribery and Corruption at the Elections for the Borough of Totnes; to the direct interference of the Duke of Somerset in the political affairs of Totnes, which was supposed to have ceased with the year 1863; to the ejectment of Somerset tenants after the election in that year; and to the acts of bribery, corrupt practices, and intimidation habitually practised by Mr. Michelmore, steward to the Duke, and detailed in that Report. He said that he took this course with great regret, because he thought that the punishment which the borough of Totnes was to suffer would be sufficient for all the bribery and corruption which had been practised there for a number of years; and he should have been glad if the scenes that had been there enacted should, as far as the cognizance of the House was concerned, have been buried in oblivion. But a Question had been put to his right hon. Friend the Home Secretary the other night, the answer to which led him to believe that an act of injustice was about to be committed by that House. He was anxious, before they sanctioned the prosecution of any individual, that they should clearly understand who were the persons most prominent in bribery, corruption, eviction, and the manufacture of votes that had taken place in that borough. Previously to the Reform Act Totnes had been a free borough, untainted with bribery and corruption; but, after the passing of that Act the boundaries of the borough of Totnes were much enlarged. He found this statement in the Report of the Commissioners—

> "At the time of the Reform Bill the boundaries of the borough which had been the same as the Manor of Great Totnes were much enlarged, and those that were substituted, though drawn irregularly and from no fixed centre, took in that portion of the adjacent country on which most houses had been built. This portion contained the Manor of Little Totnes and also the Manor of Bridgetown, which was divided from the town proper of Totnes by the river Dart. The owner of both these Manors was the Duke of Somerset, who thus for the first time acquired weight in the political affairs of the then borough."

He might observe that Totnes was not exceptional in that respect. In the settlement of the boundaries consequent on the Reform Act, whenever the property of a Liberal or Whig proprietor was found adjacent to such a place as Totnes, those who had the settlement of the boundaries managed to include that property. After the passing of the Reform Bill, the Duke of Somerset represented Totnes till the death of his father, when Lord Gifford became what was called the ducal candidate. For to such a depth had the borough of Totnes fallen that it was no longer the borough which returned a Member to represent the opinions of the burgesses of Totnes or of the inhabitants of the surrounding district, but it became plain that a Member was returned to represent the interests, and the interests alone, of the Duke of Somerset. The Report of the Commissioners further stated—

> "In 1855 the then Duke of Somerset died, and Lord Seymour's succession to the peerage creating a vacancy in the borough, the Earl of Gifford, as the ducal representative, was elected without a contest. We had no proof of any corrupt practices having prevailed at this uncontested election; we have not, therefore, inquired into the details of preceding elections except where they throw light on the conduct of persons concerned in the elections of 1857, 1859, 1862, 1863, and 1865. After the election of the Earl of Gifford the disunion that up to that time had existed in the Liberal party became

less, the two sections were brought nearer together, and agreed to work in concert for the furtherance of the Liberal cause. No unity in money arrangements existed, but the exercise of the Somerset interest in favour of the independent Liberal was clearly thought an equivalent for money to be spent by the latter. Although during the life of the Earl of Gifford money was not required to secure his seat, yet throughout the time that he represented Totnes considerable sums were spent in bribery on behalf of the independent Liberal candidate, and on the Earl of Gifford's death had to be further expended in order to protect the Somerset Member, who had hitherto been considered safe."

It appeared, then, that it became necessary, in order to maintain the Duke of Somerset's power and influence, to create new votes; and, as the Reform Act of 1832 had included within the limits of the borough a large portion of the Duke of Somerset's property, the Duke and his agents were thereby enabled to manufacture qualifications.

The Report of the Commissioners said—

"The power of creating votes was largely increased by the quantity of meadow land brought within the limits of the borough at the Reform Bill. Sheds of a better and more expensive character than had hitherto existed were erected on the different fields, and a manufactured qualification of £10 for 'buildings with land' was thus obtained. This system of creating qualifications, though adopted by both sides, has added a large number of votes to the Liberal interest, and is now only available to any extent to that party."

He would presently call the attention of the House to the use which was afterwards made of these new votes. In 1863 the Earl of Gifford died, and Mr. Alfred Seymour, at present Member for Totnes, and Mr. Dent became candidates for the vacant seat. The Commissioners' Report stated—

"The Earl of Gifford died in January, 1863, and immediately Mr. Alfred Seymour and Mr. Dent presented themselves as candidates. Mr. Seymour sent to Totnes the sum of £1,000, which was paid into the account of the Messrs. Michelmore with the National Provincial Bank. We cannot accurately discover the amount brought down upon this occasion by Mr. Dent or his adviser, Mr. Mitchell. The only way by which the Conservative candidate could win the election was by the purchase of a number of votes in Bridgetown, tenants of small holdings under the Duke, who might, by the temptation of very large sums, be induced to brave the penalty of certain eviction from their holdings. Fifteen of these people were thus bought at prices varying from £60 to £150 a head, but they were not enough to turn the scale in Mr. Dent's favour."

Though he did not believe that the Duke of Somerset gave any direct instructions to his agent to take any particular course, he knew what was going on, and expressed no censure of the proceedings. Therefore, in some respects, the noble Duke was answerable for the acts of his steward on that occasion. The Report further stated—

"Immediately after the election notices to quit were served on almost all the Somerset tenants who had voted against Mr. Seymour, and they were eventually turned out, care being taken by the other party to find other houses and fields for them within the borough. These evictions were brought to the knowledge of the Duke of Somerset, who, informed by his agent (himself guilty of bribery at the same election) that the evicted tenants were turned out because they had received bribes, made no further inquiries . . . . In the year 1863 the Duke became lord-lieutenant of the county; the whole of the Somerset property within the borough had been worked for the manufacture of votes, by the addition of buildings to land. The tenants admitted to the holdings (all of which are tenancies from year to year) have been admitted by the Duke's agent on the understanding, expressed or implied, that they were to vote for the Somerset Member at all events. This manufacturing of votes and this understanding with the tenant, was known to and approved by the present Duke of Somerset. In his system of dealing with these persons the Duke's agent has had continually in view the strengthening the political power of his employer. It does not appear that the Duke inquired into the manner in which his agents were using their influence over the ducal tenantry."

All that the Duke of Somerset really got appeared plain from the following statement in the Report:—

"The trouble of approving of candidate and the payment of £40 per annum to the registration seem to be all the Duke really gave up, as the Somerset influence, in the absence of any specific directions by the Duke to his agent, was still exercised in the same way and manner as it had been of old. The registration expenses, however, were not to be under the same regulations as heretofore, and consequently we find Mr. Pender and Mr. Seymour each paying a sum of £250 per annum nominally for the expenses of registration, but, in reality, for charges entailed by illegal payments made by Mr. Michelmore."

He had now brought the House to the period when the Duke of Somerset refrained from active participation in the politics of the borough of Totnes; and he now came to the election of 1865. Messrs. Pender and Seymour intended to come forward as candidates again; but, as Totnes had enjoyed the luxury and expenditure of contested elections, and as that luxury was only to be obtained by getting some persons to contest the borough with Mr. Pender and Mr. Seymour, great efforts were made to find a gentleman who possessed courage enough to contest the borough. A deputation of Conservative gentlemen accordingly came up to London in search of such a party, and they applied to Mr. Spofforth, of the firm of Messrs. Baxter, Rose, and Norton, for his valuable advice and assistance in the matter. The first gentleman suggested by Mr. Spofforth, who enjoyed the reputation of being an active agent for the Conservative party, was Mr. Kennard. The latter gentleman went down to Totnes and made his observations there. On ascertaining the circumstances of the case, he refused, as became a man of the highest honour, to owe his seat in the House of Commons to Messrs. Baxter, Rose, and Norton; and thereupon declined to contest the borough. Mr. Spofforth speedily discovered another candidate in the person of Colonel Dawkins, who was willing to become a candidate at the election in question, was prepared with a sum of £2,000 for legal expenses, and with him was soon afterwards associated another gentleman—Commander Pim—and between them they spent the sum of £4,559 16*s.* 8*d.* The Liberal party, on the other hand, were not backward. Large sums were provided by them and spent in bribery, a magistrate of the borough and the Duke of Somerset's steward taking part in the transaction. On that occasion, as the Report stated—

> "Open house was kept at this as at former elections, both on and before the polling day, at both hotels—by the Liberals at the Seymour Arms, and by the Conservatives at the Seven Stars—at the expense of the four candidates. A petition was threatened on the declaration of the poll, and as it was feared that the treating which had gone on at the Seymour Arms might vitiate the election of the Liberal Members, it was thought well so to arrange the accounts kept in the books of the hotel as to present the appearance of entries having been made to each person of the refreshments supplied to him, although these refreshments had originally been charged to one account, headed 'Pender and Seymour.' Accordingly, a Mr. Cross destroyed two pages tn the day-book containing the account, and substituted other pages containing the same items, but charged to different individuals. Mr. Samuel Parnell, since that time appointed postmaster at Totnes, performed a similar operation upon the hotel ledger. These facts were done to prevent an objection to the return on account of treating from being available in case of a petition."

Soon after the election Parnell was appointed to the Post Office at Totnes. Now he had no means of ascertaining who recommended this gentleman to the consideration of the Treasury. He could not suppose for a moment that any Member of that House would be willing to recommend any person for promotion in Her Majesty's service who had been concerned in such transactions, and had shown himself so active in destroying the valuable evidence which was required by the Commissioners. He could not view that appointment in any other light than as a reward for those great and eminent services which he had described. He had now shown that the noble Duke had used his influence in the manufacture of votes —he had shown that Members of Parliament had provided the means for bribery and corruption—he had shown that an active agent and steward of the Duke of Somerset had evicted those tenants who refused to vote for his Grace's candidate—he had shown that a man who had been actively engaged in bribery and getting rid of the information required by the Commissioners in order to ascertain the truth, had been promoted in the Post Office—he had shown that there were magistrates in the borough of Totnes who were acting as tools of those who provided the money for bribery—he had shown that in London there were eminent solicitors and firms prepared to find candidates of "commercial ability" for any borough where they might be wanted;—and he asked if such acts, which he ventured to characterize as offences and a disgrace to that House, could be adequately punished by proceedings against an obscure innkeeper in the borough of Totnes. If it was the opinion of the House that the offences committed at Totnes were such as to call for the immediate and decided action of the House, far be it from him to protest against that decision; he only asked, in the name of honesty and honour, that fair play and equal justice should be meted out to all. If the innkeeper of Totnes was to be brought to the bar of public opinion, let them place at the same bar those who had been the *fons et origo malorum*, who had created votes, evicted their tenants, found the means of bribery and the tools by which it was committed, and let even-handed justice be dealt to all. It would be a misfortune for the country if the day should ever arrive when there was found to be one law for him who was poor and had no local influence, and another for him who possessed the largest estate in the county, and enjoyed one of the noblest titles in the realm, and who was an honoured and valued servant of the Crown. He repeated, let all who were guilty or suspected of these malpractices, or any other malpractices, be sent to the same bar, and receive condemnation or acquittal on the same terms. He might also venture to summon the House itself to the same bar, because in his conscience he could not believe that where there were so many men of eminent legal acquirement, of knowledge, research, and energy, they could not long ago have made bribery and corruption impossible, if they had chosen to apply themselves earnestly to the subject. In one of the journals of that morning appeared a letter, bearing upon this subject, from one of the most eminent and venerable men of the day—a man whose fame was already established in the history and literature of this country — he alluded to Lord Brougham. With the leave of that House he would read the observations of that noble and learned Lord—

> "To the Editor of *The Times*.
>
> "Sir,—I trouble you with a few lines on the important question of household suffrage. It ought to be granted fairly and frankly, and not loaded with conditions and exceptions which render it unavailing. The only condition that I see is an absolutely essential one is, that the house should have been owned or occupied by tenants or lodgers for two years. I should not much object to a rating of a certain amount, but I think that immaterial, as my reliance is upon the two years, for owners, or tenants, or lodgers; but I would punish with the treadmill all who receive or offer bribes. When the slave trade existed its profits were such that men ran the risk of capture and forfeiture; but when my Act made it punishable by transportation, no one chose to run the risk, and the abominable traffic was entirely extirpated. I believe the same result would happen with bribery.—I have the honour to be yours faithfully,
>
> "Cannes, April 5." BROUGHAM."

He would not trespass longer on the attention of the House. His object now in submitting this question to the House was not to screen any one individual from justice, but simply to defend a man whom he admitted to be guilty from being supposed to be more guilty than others who were nevertheless vastly superior to him in wealth and station; to ask the House to do one thing or another, either not to proceed against this poor innkeeper or to insist that all who were implicated in these cases of bribery and corruption should stand at the same bar. He hoped he should not appeal to the House in vain, and he begged to move a Resolution to this effect—

> "That before proceedings be taken against any of the Parties convicted of Bribery at the Totnes Election a list of those about to be prosecuted be laid upon the Table of this House."

Sir Lawrence Palk

Motion made, and Question proposed,

> "That before proceedings be taken against any of the Parties convicted of Bribery at the Totnes Election a list of those about to be prosecuted be laid upon the Table of this House."—(*Sir Lawrence Palk.*)

MR. A. SEYMOUR said, it was not his duty in any way to defend the Duke of Somerset from the attack made upon him by the hon. Baronet. In the first place, he could not defend the noble Duke in this matter, because he was entirely ignorant of the mode in which his Grace managed his property. It was a matter in which he (Mr. A. Seymour) had taken no concern whatever. Whatever information he had on this subject was obtained from the same sources as those which were open to the hon. Baronet. The defence of the noble Duke he believed was in much abler hands than his; but having been referred to so personally by the hon. Baronet, and in terms—the propriety and good taste of which he might be allowed to question—he ventured to trespass on the attention of the House. He would confine himself to replying by a few remarks to what the hon. Baronet had said. In the first place, he could assure the House that he had had no communication with the Duke of Somerset upon this question, having carefully refrained from any such communication either directly or indirectly. Indeed, he was not aware what steps were to be taken in regard to his defence until he had entered the House that evening. He felt that the character of the noble Duke stood far too high in this country to render any defence of his Grace at all necessary. With regard to his (Mr. A. Seymour's) candidature for the borough of Totnes, he had one interview with his Grace, and one only. That interview was fully detailed in the blue book, which was open to the inspection of any Member who was desirous of obtaining a full account of the circumstances of the case. In that one interview his Grace plainly stated that he had no power whatever to name a Member for the borough; but that if he chose to go down as a candidate he might have his (the noble Duke's) support; but his Grace added that his success must depend on himself (Mr. A. Seymour), by making himself agreeable to the gentlemen of Totnes. [*Laughter.*] Hon. Gentlemen opposite might laugh; but he believed it was a notorious fact that the Duke of Somerset at that time did leave the choice of the Member for the borough to the leading Liberals of Totnes. Happening to have been a candidate for Exeter, his name became well known, although he would not say that his relationship to his Grace had not something to do with his nomination as a candidate for Totnes; but having arrived at that point, when he became a candidate, he must entirely decline to follow the hon. Baronet into all those questions and circumstances into which he had gone. Having been absent when the matter was previously discussed, he had had no opportunity of justifying himself before the House. He trusted that in the delicate position in which he was then placed, they would hear what he had to say in explanation, and that hon. Gentlemen would remember that if there was to be retrospective action, it should also include those hon. Gentlemen on the other side of the House who were implicated in the same degree as himself. He had no wish to justify anything which might have happened. He was, in fact, placed under very peculiar circumstances. [*Laughter.*] Hon. Gentlemen opposite might laugh, and he trusted that they were all of them in a position to be able to deny any accusation that might be brought against them of a similar kind. The hon. Baronet the Member for South Devon had made broad his phylactery, and had embroidered the hem of his garment with "purity and virtue;" but he trusted when the time came—and it might shortly occur—when the hon. Baronet went down to his own county, they would no longer hear those stories which were so rife in Devonshire and were so well known to all Devonshire men. The hon. Baronet whilst attacking his (Mr. A. Seymour's) noble Relative was endavouring to raise for himself what he might consider an appanage of his house —the enfranchisement of Torquay, and at the same time obtain a lesson of management in these matters. He trusted it would be a healthy constituency; but he could not think that a place "where wealth accumulates and men decay" could produce a healthy constituency. He cordially endorsed the sentiment which the late Attorney General uttered in reference to Lancaster. No man had a stronger opinion than he (Mr. A. Seymour) had against bribery and corruption, and he had always denounced it in public and in private. The late Attorney General said it was in the power of any constituency to prevent bribery, and that 600 pure men might have prevented it at Lancaster. Now, he was inclined to go further than that, and to say that six leading men on each side could put a stop to bribery in any borough, however large it might be. They might legislate upon bribery and corruption; but, in his opinion, the only effectual mode of preventing it was to bring public opinion, as in the case of duelling, to bear upon it. The hon. Baronet had asked why some were to be brought to judgment whilst others were allowed to escape; but the hon. Baronet had read the blue book to little advantage, if he imagined that the innkeeper, in this instance, was to be tried for bribery. He was to be tried for direct perjury. It was possible, as the hon. Baronet had stated, that some of the great Whig landlords had increased their boroughs at the passing of the Reform Bill of 1832, and so had Gentlemen who held opposite opinions and were lords paramount in other boroughs. If, as the hon. Baronet had said, Totnes only represented the ducal house, how was it that Mr. Spofforth, who was in constant communication with hon. Gentlemen opposite, recommended Gentlemen to go down, and with a commercial spirit as it was called, and with money in their pockets, to contest the borough? Could the hon. Baronet defend that conduct? Did he only see the "beam that is in our eyes" and not see the "mote that is in his own eye?" If that was the case, as there was every reason to believe, how could hon. Gentlemen opposite have the conscience to stand up in that House and raise their voices against bribery and corruption? The hon. Baronet had, however, entirely acquitted the Duke of Somerset of any improper action in the election. He said that the Duke did not instruct his agent as to any particular course he was to adopt with reference to the election. Of what, then, did he accuse him? With reference to Mr. Kennard, if the hon. Baronet had inquired a little further, he would have found that that Gentleman did not quit Totnes until he knew that if he contested the borough he would meet with certain defeat. Further inquiry would have shown the hon. Baronet that one gentleman (Colonel Dawkins, of whom he wished to speak in terms of the greatest possible respect) had been told by an agent of the Conservative party that it was of no use to go down to Totnes without an enormous sum of money. ["Hear, hear!" *and laughter.*] Hon. Gentlemen opposite might sneer; but let them take care that their own hands were clean. Now he (Mr. A. Seymour) would inform the House what his conduct had been in the matter. He happened to travel to Totnes in the same carriage with an intimate friend of Colonel Dawkins', and another gentleman, who it appeared was going to Totnes to take off the stray votes and stand the possible chance of coming in with Colonel Dawkins. Upon ascertaining the object they had in view, he pursued a course which he thought every Gentleman so situated should do, and which would receive the approval of hon. Gentlemen opposite. He took out of his pocket his private poll-book, which contained entries of how every elector at Totnes was expected to vote, and handed it to Colonel Dawkins' friend and the other gentleman, in order that they might form their own opinion of their chance of success; and if afterwards they spent their money, and did not come in, it would be their own fault. After looking over it carefully, one of the gentlemen, seeing that it would be hopeless to contest the election, at once returned to London, where, no doubt, he saw Mr. Spofforth. That, he thought, was the best thing he could do between gentlemen. It saved one gentleman, at any rate, from putting himself in a disagreeable position, and had Colonel Dawkins pursued a similar course it would have been better possibly for him also. Though he did not suppose that he had justified himself in the eyes of the House from the finding of the Royal Commissioners, yet he thought that if hon. Gentlemen opposite had found themselves in his position they would have acted very much as he had done. At the time that he stood for the place he was utterly ignorant of its venality, and, considering the particular influence that was offered to him, he thought the most hypercritical Gentleman opposite would have accepted, as he did, that support, and he accordingly paid a certain sum of money—certainly not an extravagant sum, he thought—with which to clear off some back debts and subscriptions. He thought hon. Gentlemen had sufficient election experience to know what back debts were; but after what had been stated by the hon. Baronet he felt bound in justice to himself to make that statement. He paid, as he had stated, not a very extravagant sum for that purpose, and some long time after finding that a certain sum besides had been spent he felt bound as a man of honour to pay that also, and he did so. He only did what every hon. Gentleman would do—repay money which he found had been spent in his service. He had been found by the Commissioners as an approving and assenting party to bribery, when in fact he was utterly and entirely ignorant of it. He had nothing further to say in defence of his conduct, and he thanked the House for having so patiently listened to his statement.

SIR ROUNDELL PALMER said, that in the observations which he was desirous of making in defence of the conduct of the Duke of Somerset, he should endeavour most studiously to abstain from everything which he might not reasonably hope would command the assent and approval of hon. Gentlemen on both sides of the House, because in a matter of this description he was anxious to avoid anything like a party tone. The hon. Baronet who introduced the subject had stated that it was not his object to bring any individual under the censure of the House; but to advocate impartial justice, in order that all who were implicated in bribery and corruption at Totnes might be dealt with equally and fairly by the House. He did not oppose that principle, neither would the Duke of Somerset, on that or any other occasion. The Duke of Somerset submitted himself unreservedly to the judgment of the House, and to the bar of public opinion. The noble Duke was the last man who would justify bribery and corruption, and he believed, moreover, that he was the last man whom the House would consider likely to have been either directly or indirectly implicated in anything of the kind. If he were so implicated great would be the sorrow and regret all would feel that a man who had hitherto stood so high in public estimation, who had done so much good service to the country, and who had been so generally esteemed, should have condescended to so great an error. On the other hand, he (Sir Roundell Palmer) felt sure that the House would not very willingly receive or believe vague accusations of that kind, but that they would candidly and fairly do that justice to the Duke of Somerset which would be due to any one of the meanest of Her Majesty's subjects. He asked no more for the Duke of Somerset. The true history of the Duke of Somerset's connection with the borough of Totnes was to be found in the Duke's evidence, appended to the Commissioners'

Report, from a perusal of which it would be seen that his Grace's hands were as perfectly clean and pure from any species of participation, either directly or indirectly, in bribery or corruption, or in any other illegal or improper practice, as those of the purest Member of that House. The Duke of Somerset's connection with Totnes commenced in 1834, and he represented that borough for a period of twenty-one years, until in 1855, on the death of his father, he succeeded to the Dukedom. So far from his being indebted for his seat to the use of bribery, corruption, or intimidation, he was, in fact, from the general estimation in which he was held, supported by both Liberals and Conservatives, and was invariably returned at the head of the poll. And when, moreover, an opposition did come, it came from a certain section of the Liberals and not from the Conservatives of the borough. Since he had ceased to be the Member for the borough he had on only two occasions—and only when requested to do so—recommended gentlemen to the constituency. The first was the late Earl of Gifford (at that time he was not related or connected with the noble Duke), and afterwards the present Member for the borough; but on each occasion he had acted with the distinct understanding that he could do no more than recommend those gentlemen to the constituency, and that they must do everything else for themselves. In 1863, when his Grace became the lord-lieutenant of the county of Devon, he expressed his desire to his agent to separate himself from the politics of the borough, and he declined from that time to be concerned in the personal selection or recommendation of any candidate. He even ceased to make the moderate payment of £40 towards the *bonâ fide* registration expenses of the borough, and beyond that he had exercised no kind of influence upon the elections for Totnes, except that which, as hon. Gentlemen were aware, was inseparable from the position of a resident neighbouring proprietor, having considerable possessions and an historical name, if he were a person well discharging his duty in public and in private life. With regard to corrupt practices, the Royal Commissioners expressly exonerated his Grace from any connection or participation in them; the very questions put to him by the Royal Commisioners showed that they had not heard anything that could in the least degree bear the appearance of implicating his Grace in any way with corrupt practices. In fact, the Commissioners stated that down to 1855 no money was spent illegally in behalf of the Somerset candidate; the Duke himself (then Lord Seymour) having been the only Somerset candidate from 1834. The Commissioners stated that bribery was first resorted to by the Conservative party in order to counteract the territorial influence of the Somerset family; and, as the House well knew, the final result was that all parties in the borough resorted to the same practices, but the Duke was in no way responsible, directly or indirectly, for the result. In 1841, when Mr. Barry Baldwin contested the borough on Conservative principles, the Duke of Somerset, fearing that money would be spent, came to an arrangement with the opposite party whereby the representation was to be divided between the Duke and a Conservative. That arrangement continued till 1855, when his Grace ceased to represent the borough; and from that time to the present there was not the slightest suggestion that his Grace was directly or indirectly cognizant that any bribery was going on by his agents or by any one over whom he could exercise any authority or control. The hon. Baronet, he believed, did not accuse the noble Duke of participating in such practices.

Sir LAWRENCE PALK said, that his remarks related exclusively to the evictions practised on the Somerset property.

Sir ROUNDELL PALMER said, he was under the impression that that was the hon. Baronet's meaning, and his explanation relieved him (Sir Roundell Palmer) from the necessity of saying more upon that part of the question. No one could regret more than the Duke of Somerset to find by the report that persons who were undoubtedly his agents—men holding important positions in the borough, and who were the agents also of other landed proprietors—should have connected themselves with those corrupt practices. He now came to two points, on which the hon. Baronet wished for satisfaction, and he thought he could give it to the hon. Baronet. With respect to the "manufacture of votes," he interpreted the Commissioners' words as meaning not that there had been any illegal creation of fictitious votes with the knowledge of the Duke, but that, the Reform Act having provided that land let with any description of building upon it at a *bonâ fide* rent of £10 should give a vote, the Duke's agents had, from time to time, made such arrangements with persons of his politics who desired to vote as would qualify them under that provision. As the law stood, there was nothing whatever illegal in the creation of votes by the erection of buildings and the letting of them with land, at a real rent, upon real tenancies, to persons who desired to vote; the tenants were not persons whom it was proposed to coerce to vote against their opinions; they, on the contrary, held the same opinions as the Duke, they wished to qualify themselves, and their wish was responded to. All the tenancies were real; not one of those created with the knowledge of the Duke was even alleged to be fictitious or colourable. Besides this, if any person declined to assent to the proposition that any party to an election might be lawfully assisted by the creation of *bonâ fide* votes by *bonâ fide* occupancies, he would present to them another consideration. The practice was, in the first instance, adopted by the Duke's agents strictly as a measure of defence, for an example had been set them by the Conservative candidate, who had manufactured votes in a similar manner upon the neighbouring estate of Gerston; which, at a later period, itself became the property of the Duke. Upon the subject of evictions, he was gratified in being able to state, without fear of contradiction, that the Report made by the Commissioners on the evidence taken before them did not show the least trace of anything like an abuse of the rights of property on the part of the Duke of Somerset. The only cases of eviction mentioned referred to some occurrences which followed the election of 1863; respecting which the Duke of Somerset stated that his agent had indeed told him after the election that he had given notices to quit to several tenants, not because of their votes, but because they publicly boasted of having taken bribes. If more than this was done, it was without the Duke's knowledge, and the Duke's agent, of course, did not state, nor had the Duke any reason to suspect, that he himself had offered bribes. The Commissioners were satisfied with that explanation and made no further inquiry upon the subject. There was one other fact which it was material he should mention—namely, that when one of the Commissioners asked the Duke if any complaints of eviction had ever been made to him, he said he never to his knowledge received any letter of that kind. During the time the Duke was Member for the borough his own conduct was pure, and he maintained the purity of the borough. As to the rights of property, it did not appear that he had on any occasion personally exercised those rights, or authorized any of his agents to exercise them, in a manner which could be regarded as harsh and oppressive. The votes created were *bonâ fide* according to law. He (Sir Roundell Palmer) had been anxious to lay these facts before the House, because the Duke naturally felt desirous that his name should stand before the country and the House in as fair and pure a position as it had always done.

MR. NEVILLE-GRENVILLE said, he felt it to be his duty to state certain circumstances which had come to his knowledge. He had not the honour of a personal acquaintance with the Duke of Somerset; but he had had the honour of representing a county in which the Duke had a large property and considerable influence, and he could state that no steps whatever had been taken by the Duke to influence his tenantry; on the contrary, his Grace left them to act entirely as they pleased. There was the prospect of a very severe contest, and he happened to know, from personal acquaintance with the tenantry, that the Duke's tenants had not been interfered with. He and his Colleague were opposed in politics to his Grace, and had the Duke used his legitimate influence they would have been no doubt put to considerable cost and annoyance. He therefore thought it due to the noble Duke to make this statement.

MR. BERKELEY said, he had happened to form a very strong opinion respecting the question of undue influence on the part of the Duke of Somerset, and nothing that had been said during the evening had disturbed that opinion. Commissioners, he noticed, were never very anxious to find fault with great men; accordingly, he was not surprised to find that the Commissioners in this case had not made a very severe report respecting the conduct of the Duke of Somerst. He would ask the hon. and learned Member for Richmond whether the maxim *qui facit per alium facit per se* did not apply in their cases? There were two men who acted as his Grace's agents. One was guilty of gross bribery, the other admitted that he had accused some of the Duke's tenants, who were favourable to the Tories, of bribery, and that he knew the accusation to be false. He had never read evidence that more reminded him of the

Italian Majocchi at Queen Caroline's trial than that given by the Duke of Somerset. It was all *non mi recordo.* At first there might be a presumption that his Grace's stewards did the right thing, but when their acts became matters of publicity, found their way into the papers, and were afterwards brought out before the Commission, affairs assumed a very different aspect. Could the hon. and learned Gentleman tell the House whether his Grace had discharged Mr. Michelmore? Because, if a man branded as this Mr. Michelmore was did not really act under the Duke's orders, did not take a nod or a wink from the Duke, his continued employment reflected upon the character of his employer.

Sir ROUNDELL PALMER said, that it was Mr. Michelmore's son who was now agent to the Duke.

Mr. BERKELEY: Of course; and he would continue to be his agent; and as the Duke's agent, if opportunity offered in the borough of Totnes, things would go on precisely as before. Then it was said that the Duke's tenants were disposed to vote a particular way, and only acted up to their previous intentions; but there was direct evidence that Mr. Michelmore said, "If you don't vote so-and-so, you do not stay." So much, therefore, for the alleged free will of the voters. Nobody had accused the Duke directly of bribery or corrupt practices. But the Duke had broken the Sessional Orders of the House—the value of which no man ought to know better than himself, having been a Member of the House. That those Sessional Orders had been laughed at and utterly put aside by the Duke's stewards or agents there could be no more doubt than that he was now addressing the House. The only thing that he complained of was, that this case was brought forward alone, and that the Resolution had not been made more general, as there were many more names of Peers and Commoners of both parties which were capable of being questioned. There could be no doubt that a very large proportion of Members in that House had been returned by means which violated the rules of the House. No manner of doubt could exist that Members of the Peerage interfered with elections. The evil would go on flourishing and increasing till the House devised some very stringent means of putting it down. Hitherto, instead of being treated as a matter of shame and reproach, occurrences of the kind had been regarded as things of daily occurrence. But now that the light of day had been thrown upon such abuses they became a reproach to the Constitution, and if the House of Commons made light of them they would become a disgrace to the country.

Mr. MORRISON said, that as he first brought this matter before the House by means of a Question, he was glad that the subject had given rise to some discussion. He felt strongly that since the country had incurred the expense of issuing Election Commissions, and the humiliation in the eyes of foreign nations of dragging to light all the abuses of our electoral system, something practical ought to follow the investigation. A different spirit, he believed, animated the House now from that existing in former years, so that these Reports were no longer likely to be cast into the waste-paper basket. He bore willing testimony to the fairness with which the hon. Baronet had stated the case; he had not shrunk from accusing his own party, while substantiating the case against his opponents. But he brought forward the question distinctly as a party question. And it was well that he did so. For if a certain amount of party feeling could be raised, and each side confined itself to attacking the malpractices of its opponents, they might hope that in time those evils would be exposed and checked. The question he himself had put was not at all of a party nature—it related to the alleged embezzlement of £1,200 belonging to Colonel Dawkins. The hon. Baronet made an appeal on the ground that this was a case of high against low, of the rich man against the poor. But if the Government should be advised to take ulterior proceedings, it must be recollected that this fund of £1,200 was available for the defence. He had pointed out that at Totnes perjury and subornation of perjury had been committed, and he had mentioned the name of "Heath and others" instead of including the whole list. The hon. Baronet had taken exception to his mention of Mr. Heath's name singly. He had done so with a view of avoiding unnecessary prolixity, but he would take care on a future occasion to repeat the entire list of names, Liberal as well as Conservative. It was said there was a great difference between the position of the Duke of Somerset and of an innkeeper. That point might be granted, but there was also a considerable difference in the offences with which they were charged. The hon. Baronet was rather late with the Motion he had submitted; and it would be a mere waste of money to go to the expense of printing such documents. In matters of corrupt practices there was, unfortunately, a Statute of Limitations, which he hoped would be removed by the proposed Bribery Bill of the Government. The gravity of offences did not depend upon the penalty which the law imposed. Duelling was regarded long ago in legal contemplation as murder, and yet public opinion always condoned the offence. So it was with bribery and undue influence in the present day. There were numbers of persons, not only in the House, but throughout the country, who regarded such offences as very trivial indeed. In the North of England they well knew that it was not merely the great landowners who exercised undue influence. Manufacturers, shopkeepers, attorneys, the humblest man who felt a sufficiently warm interest in politics were all as ready as a Duke could be to exercise undue influence. He did not think an Attorney General would be well employed in prosecuting for the embezzlement of money supplied for an illegal purpose. But the question of subornation of perjury stood on very different ground, and the Commissioners in their Report insisted strongly upon the fact that they had great difficulty in obtaining information from the witnesses examined before them at Totnes—three separate cases being instanced where parties had been guilty of perjury or subornation of perjury. This was a question which juries and Judges frequently treated with leniency, but it was one which the House of Commons ought to have fairly and fully before their eyes; and therefore he proposed after Easter to bring the whole matter prominently forward. The question of the Duke of Somerset's influence seemed to lie in a nutshell. His hon. and learned friend the Member for Richmond had made a very ingenious defence for the Duke; but the long and the short of it was that the Duke having sat many years ago as Member for Totnes—which was neither better nor worse than the pocket and nomination boroughs represented, not exclusively by noblemen, on both sides of the House—had, since that time, been endeavouring to shake himself free from all evil practices in regard to the borough. No one could doubt that, who read the Report of the Royal Commission in a candid spirit. Many hon. Members on both sides of the House knew that what he was about to assert, as a dockyard Member, was strictly and literally true. The Duke of Somerset was the first chief of the Admiralty, on either side of the House, who, as far as he had been able to ascertain, had deliberately set his face against jobbing in the dockyards. As a Member for a dockyard town himself, he could state that Government influence in the dockyards was of no value now to any candidate, and he hoped that system which rendered it valueless would be continued by the present Government. He thought that circumstance ought to be mentioned to the credit of the Duke of Somerset; because he thought that if a man spent his own money and used his own influence for his friends it was not so bad as if he spent the Government money and used the Government influence. It was only by dealing with particular cases and individuals they had put down bribery and corrupting; and certainly he should attack peccant boroughs and peccant individuals whenever he had a chance.

Mr. CORRY said, he rose only to make one remark in consequence of the concluding observations of the hon. Member who had just sat down—that the Duke of Somerset was the first chief of the Admiralty who had set his face against jobbery in the dockyards. He had the greatest respect for the Duke of Somerset personally, and for the impartiality with which he distributed his patronage; but a more unfounded statement than that of the hon. Member had never been made in that House. He would not go further back in disproof of it than to the Administration of his right hon. Friend the present Secretary of State for War. In 1858, when his right hon. Friend went to the Admiralty, a strong opinion prevailed in many quarters that promotion in the dockyards was influenced by political favouritism on the part of inferior officers. In consequence, his right hon. Friend wrote a private letter to the superintendents of the different dockyards, requesting them to control such improper influences by every means in their power, and during the whole of the fifteen months in which he continued in office he (Mr. Corry) did not believe a single appointment or promotion was made except on the recommendation of the superintendents. He could certainly say that that was the case in respect of the promotions to subordinate ranks which was at his own disposal as Secretary.

Mr. MORRISON said, he had no doubt

whatever of the correctness of the right hon. Gentleman's statement, and he must have been misinformed as to the Duke of Somerset having taken the initiative in the matter referred to. This circumstance only showed how unsafe it was to trust to one-sided statements.

The SOLICITOR GENERAL said, it had been brought as a charge by the hon. Member for Bristol against the members of the Commission that they were not over fond of bringing accusations against persons in high places. He thought this was a most unfounded charge to be brought against the Commissioners for Totnes, who had done their duty, and spared no one. He agreed entirely with his Friend the hon. and learned Member for Richmond (Sir Roundell Palmer) that the evidence at Totnes had been fairly taken; and he contended that the charge made against the noble Duke by the hon. Baronet to the extent to which it was made was fairly justified by that evidence. The hon. Baronet had expressly stated that he did not charge the noble Duke with bribery or corruption, but with the manufacture of votes. The evidence of the manufacture of votes was confined to certain cases that were specified; while as to the ousting of voters, it appeared that the noble Duke was utterly ignorant that this was done on any other ground than that the voters had received bribes of a very aggravated character, and that they acknowledged having done so. Having gone through the evidence with great care, he thought it right to say that, in his opinion, there was not the smallest pretence for alleging that the Duke was in any way open to the charge of bribery and corruption in the usual sense of the terms; and as regarded the ouster of tenants, it appeared from the evidence that the Duke was not aware that they were removed for any other reason than that of their having received bribes. He believed that the proportions to which the charges were to be reduced were those to which his hon. and learned Friend the Member for Richmond had reduced them.

Sir LAWRENCE PALK said, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

MIXED MARRIAGES (IRELAND) BILL.

LEAVE. FIRST READING.

Mr. Serjeant ARMSTRONG said, he rose to move for leave to bring in a Bill to amend the Law as related to Mixed Marriages in Ireland. The House was aware that in Ireland marriages celebrated by a Roman Catholic priest between Roman Catholic and a Protestant were by the 19 *Geo.* II.—the last remnant of the penal laws—declared to be null and void. He did not, however, at the present time, propose to repeal that Act, and for this reason, that the whole question of the marriage law was under investigation of a Royal Commission, and he was willing to wait for their Report. His sole object in the present Bill was to prevent what in all quarters in Ireland and in every country was pronounced to be a crying evil and an abuse. According to the statute to which he referred there would be no doubt that if a man resorted to a Roman Catholic priest, and professed to be a Roman Catholic, and if the priest, believing his statement, solemnized his marriage with a Roman Catholic woman, he could subsequently repudiate such marriage if he could show that he had professed the Protestant religion at any period within twelve months before the ceremony was performed. The marriage so contracted was legally null and void, and the issue of it would be bastards in the eye of the law, while the woman would be left destitute of support. That such a state of thing called loudly for alteration no one could doubt. But his object was simply this—that where a man already married abandoned his wife, and, professing to be a Roman Catholic, subsequently married a Roman Catholic woman, and was afterwards indicted for bigamy, he should not be permitted to take advantage of his own wrong and shelter himself under the provisions of this Act of Parliament from the responsibilities of his crime. Unfortunately, this was not a mere imaginary or sentimental grievance. From the time of the enactment of the law down to the present, repeated instances had occurred of men taking advantage of this state of the law. It would be in the recollection of hon. Gentlemen that not many years ago a gentleman, from whose rank and position better things might have been expected, relied on this Act to screen himself from the consequences of his own wrong and to ruin the woman whom in the eye of God he had made his wife, though by the law of man he was enabled to repudiate her. There was another case which occurred in Ireland in 1865, and which he believed was the last case that had occurred. A man who was a Protestant married in 1858 a Protestant woman. He deserted her, and during her life-time he made the acquaintance of a Roman Catholic girl, to whom he represented himself as a single man, and a Roman Catholic. He made the same representations to a priest, and, all the necessary forms having been observed, the marriage was solemnized in the Westland Row Catholic Church, Dublin. The matter became public, and the man was indicted for bigamy. There was no denial of the facts, but the defence of the prisoner was—and his father and brother were brought forward to prove it—that he had been born and bred a Protestant, and that within twelve months of his marriage he had taken part in the services of a Protestant place of worship. The learned Judge (Judge Keogh), who tried the case, was of opinion that notwithstanding this defence, the prisoner was not protected by the Act of *Geo.* II., and the jury having convicted him, he was sentenced to five years' penal servitude. An appeal was however taken, and the Judges who heard the case, with great reluctance, and expressing a strong disapprobation of the existing state of the law, arrived at the conclusion that the ceremony in Westland Row Church was a nullity, and that the conviction must be reversed. The scoundrel was accordingly discharged from prison. The feelings of the Judges who reluctantly arrived at this conclusion might be gathered from the expressions used by them in pronouncing their judgment. Mr. Justice O'Hagan characterized this as the worst and most aggravated of all deceptions practised under the colour of religion. Mr. Justice Fitzgerald described the state of the criminal and the marriage law which would permit conduct like this to take place with impunity to be highly discreditable to the country. Mr. Justice O'Brien concurred in the expressions of regret as to the state of the law which relieved from punishment persons who had been guilty of such scandalous conduct. And Mr. Justice Christian, whose recent elevation to the Court of Appeal was approved of by every member of the Irish bar, said he should deeply regret the decision he was about to give, if he did not feel convinced that the Act of Parliament, which he was compelled to put in force, would not long survive that decision, inasmuch as it was high time that a statute under which such iniquitous profligacy escaped punishment, and which was a remnant of a barbarous and, happily, nearly obsolete code, should be modified or repealed. If any apology were required for his trespassing on the attention of the House, that apology would be found in these facts. The sole principle and object of his Bill was to strike a blow at this iniquity, and to show malefactors that if they resorted to this law to gratify their villany they would no longer be able to do so with impunity.

MR. NEWDEGATE said, it appeared to him that this question was environed with greater difficulties than the hon. Member appeared to be aware of. The question of mixed marriages had excited a great controversy in Germany, and he should be glad if the ability of the hon. and learned Gentleman could succeed in devising a remedy for the wrongs which he (Mr. Newdegate), equally with the hon. Member, reprobated. The case which the hon. Member brought forward was clearly a case of fraud; but he doubted whether the hon. Member would be able to find a remedy, as he must remind him that frauds of this kind were not confined to mixed marriages.

Motion *agreed to.*

Bill to amend the Law relating to Marriages between Protestants and Roman Catholics in Ireland, *ordered* to be brought in by Mr. Serjeant ARMSTRONG and Mr. GOGAN.

Bill *presented,* and read the first time. [Bill 120.]

WITNESSES (HOUSE OF COMMONS.)

MOTION FOR PAPERS.

MR. NEATE said, he rose to call attention to the control now exercised by the Secretary to the Treasury over the allowance of expenses to witnesses before Committees of the House. He stated that he was last year Chairman of a very important Committee, and at the end of the Session his recommendation respecting the expenses of witnesses went to the Treasury in due course. A difference of opinion arose between him and the Secretary to the Treasury on this subject. A witness might be summoned, say for Thursday, and it might happen that, owing to a longer time than was expected being taken up with previous witnesses, his evidence might not be wanted on that day. As Committees of that kind usually met only twice a week, the question was whether the witness was bound to remain in town until the following Monday or Tuesday, when the Committee might sit again, or was he at liberty to go down to the country? Who was the best judge to determine that? Was it the Secretary to the Treasury or the Chairman of the Committee? It seemed to him that it should be in the first instance the Chairman of the Committee, and if the Secretary to the Treasury differed from him, the matter might come before the House of Commons represented by a tribunal composed of the Chairman of Committees, the Chairman of the Committee of Selection, and two or three other Gentlemen of experience appointed by the House. In a particular case to which he was now referring, he, as Chairman of the Committee, had made a recommendation that a witness should receive certain expenses, but the Secretary to the Treasury, by the stroke of his pen, disallowed the expenses, and cut them down to the extent of about £2 10*s*. That was not a satisfactory position for a Chairman of a Committee to be placed in. He concluded by moving for a Copy of his Recommendation as Chairman of the Committee on Mines, and of the reply of the Secretary to the Treasury.

Motion made, and Question proposed,

"That there be laid before this House, Copy of Recommendation of the Chairman of the Select Committee on Mines in the last Session to the Treasury, with reference to the expenses of Witnesses examined before that Committee."—(*Mr. Neate.*)

MR. HUNT said, he was not at all sorry that his hon. Friend had brought this matter before the House, because, although it referred to a small matter, the principle involved in it was great. He ventured to submit that in taking the course which his hon. Friend complained of, he had simply been fulfilling his duty and doing that which all his predecessors had done. Only the other day he had occasion to call the attention of the House to the heavy expenses entailed upon the public by witnesses being summoned to attend before Committees on days when they could not possibly be examined, and of witnesses being paid for a number of days when they had only given one or two days' evidence. His hon. Friend was not in the House on that occasion. He regretted this because, although he did not allude to his hon. Friend particularly, the Committee over which his hon. Friend presided was, he might say without any disrespect, a great offender in the matter then alluded to. The total of expenses recommended to witnesses who were examined before the Mines Committee, even after deducting disallowances, was no less than £462. A great number of witnesses were in attendance seven days, and were only examined one day; a few were in attendance eight days, and were only examined one; one witness was in attendance ten days and was only examined four; one witness was in attendance eleven days and was only examined two; one witness was in attendance ten days and was only examined three. He thought, therefore, that in this particular Committee very small care was taken to save the public money by providing that witnesses should only be summoned for such days as they were likely to be required. The first time that the expenses in connection with the Committee on Mines were brought under his notice was upon an occasion when an application was made to him to give compensation to a gentleman who had been employed as agent to keep witnesses together, and to arrange their evidence. He was then told that the Chairman of the Committee had employed a person as agent to ascertain who would probably be the best witnesses, and to settle the time when they should be summoned, much in the same way as was done in the case of Private Bills. Upon hearing this, he said that he did not consider that the expenses given in connection with this agent should be allowed. He knew of no authority for such proceedings. If the Committee required the assistance of an agent for such a purpose the Chairman should not have appointed one, but should have applied to the House for authority to that effect, and he therefore refused to allow the expenses claimed by the agent on that account. The next time that his attention was called to the subject was when the claims were sent into the Treasury on the recommendation of the Chairman of the Committee. On that occasion the officer in the department who dealt with these things pointed out that in the case of a certain witness from Yorkshire the travelling expenses had been charged twice. He (Mr. Hunt) said that this witness could only be allowed the expenses of one journey up and one journey down. It was then suggested to him that it was possible the witness might have been summoned twice; but upon inquiry it turned out that he had never been summoned at all. Being thus led into some inquiry, he pursued the investigation a little further, and found that out of fifty-one witnesses examined before this Committee only eighteen had received summonses to attend. Had he done his strict duty he should have disallowed the expenses of all the witnesses who had not been summoned. He did not consider that every witness should be allowed expenses who merely tendered himself to the Chairman. The proper procedure would be for the Chairman to intimate to the Committee the witnesses whose evidence might be required; and should the Committee think it desirable to take their evidence summonses should be issued, and no expenses should be allowed to witnesses unless they were so summoned. Everybody knew that there were certain periods of the year when gentlemen from the country were anxious for a trip to London. These gentlemen found out that some subject was being examined before a Committee upon which they had some knowledge. They came into the Committee-room, sat down, and wrote upon a slip of paper to the Chairman that they were from such and such a place, and could give important evidence. Thus if this practice were encouraged, every person who could induce a good-natured Chairman to call him as a witness might get his expenses paid to and from London. Had he therefore, as he already remarked, acted strictly in this instance, he should have disallowed the expenses of all witnesses except those summoned in accordance with the recommendation of the Chairman. What was done in the case referred to was this:—the gentleman employed as agent for keeping the witnesses together took into his own hands the work of getting these persons to appear; and, although the Chairman did not sign their summonses, a claim was sent into the Treasury for their expenses. He went through the claims of these persons and disallowed such as he thought were irregular. The question raised by the hon. Member for the city of Oxford had been on more than one occasion inquired into by Committees of the House. In 1841 it appeared, from the inquiry then instituted, that the Treasury had always exercised a control over these expenses. An officer of the House, in the course of his evidence, distinctly stated that the only effect of the signature of the Chairman to the accounts of expenses was to give the Treasury jurisdiction in the matter and to transfer it into their hands. An officer from the Treasury was examined before another Committee in 1840, and he stated that he could see no advantage that would result from having the expenses of witnesses paid by an officer of the House of Commons, and that the check exercised by the Treasury afforded better security against abuse. That Committee reported upon the subject, placing no limitation upon the Treasury in dealing with the expenses of witnesses, but urging that the expenses should be curtailed by the Chairman of Committees. In 1848 the Committee on Miscellaneous Expenditure again recognised the control of the Treasury. It would thus be seen that the control of the Treasury in these matters had been recognised by the House, and that the House had never objected to the exercise of that control. He thought, therefore, that in the case now submitted to the House he had acted strictly in accordance with the practice of his predecessors. His hon. Friend stated, that upon remonstrance, the Treasury had allowed one guinea more to the witness whose second travelling expenses had been disallowed. That guinea had not, however, been allowed in order to meet his hon. Friend half-wya; but because, upon further scrutiny, it turned out that the witness might have justly claimed for another day's attendance. He hoped that the effect of bringing this question before the House would be to induce Chairmen of Committees to pay greater attention to the matter than they had been in the habit of doing. He would suggest that Chairmen should in no case send in a recommendation allowing expenses to witnesses unless they had been summoned. It was not right that persons coming to London should volunteer their evidence and then claim their expenses. Unless, then, the House should think fit to express an opinion to the contrary, he should continue the practice he had pursued since he had been at the Treasury, and endeavour to protect the public against exorbitant charges made in connection with witnesses before Select Committees.

Mr. HADFIELD said, that if witnesses were sent for, either by summons or by invitation, their reasonable expenses ought to be paid. The allowance for witnesses was very small, and when sent for from a great distance, such as Edinburgh, there was necessarily some delay, because they must be in attendance when called.

Mr. DODSON said, he wished to correct a misapprehension that the expenses of professional witnesses only were paid, since there was a special scale per diem allowed for tradesmen, mechanics, and others who might be summoned, and recommended by the Chairman to receive remuneration. The hon. Member for Oxford suggested that a Committee should be appointed to act as arbitrators when the Chairman of a Select Committee recommended a certain payment which was dissented from by the Treasury. He did not think that the appointment of such a Committee would effect any good. The amounts to be allowed per day had been laid down, and so far an established rule worked well; but the number of days that a witness need be detained in order to give his evidence must always be a matter of discretion with the Chairman of the Committee, who should make it a point to arrange business so that witnesses should be detained as short a time as possible. The best plan would be for the Chairman of the Select Committee to carefully consider the question and take care that no witness should be detained in town a day longer than was absolutely necessary. A Return of the payments made to witnesses summoned by the Select Committee on Trade in Animals showed how much could be done by the Chairman of a Committee, in the making of arrangements; for, although there were witnesses from all parts — even from the Continent — they were not detained more than three days, except one from Ireland, who was detained six days. The Chairman of a Committee was not absolute; his recommendation was liable to check by the Treasury; and it was not necessary to check the economy of the Treasury, because it was easier for the Secretary of the Treasury to be good-natured, and to consent to any recommendation submitted to him, than to put himself in the invidious position of refusing to accede to it. The only effect of appointing a Committee of arbitration would be that the Secretary of the Treasury would feel that if he put himself in the disagreeable position of refusing to sanction proposed expenditure his opinion might be overruled by that Committee, and he would incur the odium of the refusal without obtaining the result of promoting economy. There was sufficient check at present, for if the claim of a witness was excessive the Chairman of the Committee could refuse to recommend it, the Secretary of the Treasury could refuse to allow it, and if he erred in being too stingy or too liberal the last resort was an appeal to the House.

MR. NEATE said, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

CORRUPT PRACTICES AT ELECTIONS BILL.—LEAVE.—FIRST READING.

MR. HUNT said, that in the absence of the Chancellor of the Exchequer, on his behalf he had to move for leave to bring in a Bill to provide for the more effectual prevention of corrupt practices and undue influence at Parliamentary Elections.

MR. DENMAN: Surely the Chancellor of the Exchequer will give the House some information as to what kind of a Bill it is to be. It is a matter in which we all take a great deal of interest; it is of the utmost importance that the House should have some information of the principle on which we are about to legislate on this subject.

MR. HUNT: On a previous occasion my right hon. Friend stated to the House the nature of the provisions of the Bill he intended to introduce.

SIR STAFFORD NORTHCOTE: There is no discourtesy intended. On the occasion on which my right hon. Friend stated the provisions of the Bill for the amendment of the Representation of the People, but before the scope of it was finally settled, he described as a portion of it certain clauses he proposed to insert with reference to the subject of bribery and corruption at elections. He then stated generally the nature of the provisions he intended to include. Subsequently that Bill was abandoned, and on a later occasion my right hon. Friend introduced the measure which is now before the House. In doing so, he omitted the clauses with regard to bribery; and stated that, though it was his intention to proceed with the scheme mentioned in his first speech, he thought it would be more convenient to make it the subject of a separate Bill to be passed *pari passu* with the Reform Bill. The other night my right hon. Friend said that he should be prepared to bring forward such a Bill on Thursday next. A wish, however, having been expressed by the House that the Committee on the Reform Bill might be the first Order of the Day on Thursday, at a late hour last evening my right hon. Friend proposed that the second reading of this Bill should be made the second Order on that day, in order that it might not stand in the way of the House proceeding with the Reform Bill. The general provisions of the Bill have been already described by my right hon. Friend. He has just been obliged to leave the House on other business; but he hopes that there will be no objection on the part of the House to the introduction of the Bill, the second reading of which will, if such is the pleasure of the House, be fixed for Thursday. It will then rest at the option of the House to discuss it, after going out of Committee on the Reform Bill, if so disposed.

Motion *agreed to.*

Bill to provide for the more effectual prevention of corrupt practices and undue influence at Parliamentary Elections, *ordered* to be brought in by Mr. CHANCELLOR of the EXCHEQUER, Mr. Secretary WALPOLE, and Mr. HUNT.

Bill *presented,* and read the first time. [Bill 119.]

OFFICES AND OATHS BILL—[BILL 7.]

(*Sir Colman O'Loghlen, Mr. Cogan, Sir J. Gray.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Preamble.

On Question that the Preamble be *postponed,*

MR. WHALLEY said, he must dispute the correctness of the words constituting the preamble of this Bill which, he submitted to the Committee, were untrue in themselves, and were contradicted by the whole course of our legislation. It was not merely on account of religious belief that special provisions were made excluding Roman Catholics from holding the offices of Lord Lieutenant and Lord Chancellor of Ireland; but it was because that religious belief was nothing but the outward and visible sign of what might be called a confederacy on the part of certain persons assuming ecclesiastical power and authority to obtain money and to secure influence all over the globe, under the pretence of affording spiritual consolation to those persons who should submit themselves to them. The point to which he wished to direct the attention of the Committee was, that the admission of those persons to a seat in that House was distinctly coupled with restrictions which one by one and piecemeal were sought to be removed. So far as the Roman Catholic hierarchy were bound by the principles of honour they were bound to accept the Emancipation Act with all its conditions and restrictions; and it was contrary to the spirit of legislation for the past two centuries that these should be swept away one by one. If this were necessary why should not a general Act be passed at once for the purpose. But if this were deemed expedient then our ancestors, from the time of Charles I. and of William III. downwards, must have been under a delusion. When this Bill was first introduced, he stated, and read authorities for his statement, that the Roman Catholic hierarchy were at this moment before the country as organizers of rebellion, and that they had been so since 1862, and he was then called to order, though it was now admitted that that was from a misapprehension. When he last spoke on this subject he was called to order by the Speaker, on the ground that he ought not to say anything offensive to the feelings of Gentlemen professing the Roman Catholic religion; and if the same rule should now be laid down by the Chairman of the Committees, he would return to his house, and remain there until he received a letter from the Speaker, informing him that he had somewhat misunderstood the extent of the restriction imposed on him. It would be impossible for a Member of Parliament to perform his duty efficiently if he were to be restricted in the statement of his earnest convictions, the expression of which should not be offensive to Gentlemen of the Roman Catholic religion, who sat in that House in their legislative capacity, and not as members of the Roman Catholic faith. It was at one time considered offensive to Roman Catholics to say that the earth moved round the sun, and he believed that that statement would still be offensive to Dr. Cullen. He could not therefore consent to hold a seat in that House unless he might have the opportunity of exercising his right of speech in matters which affected the national welfare; and on that ground he had felt it his duty to call upon his hon. and learned Friend the Member for Clare (Sir Colman O'Loghlen) to answer the statements he (Mr. Whalley) had before made. He had read extracts from the speeches and sentiments of various persons in high authority among the Roman Catholics, including at least one Bishop, declaring that the only reason why they did not come forward and declare their countenance of the Fenian conspiracy was that the proper time had not come, because this country was not at war, because England's time of difficulty had not yet arrived; but that when it did the case would assume a different aspect. The

Fenian conspiracy, of which they heard so much, was nothing but the continuation of that long succession—more certain than any apostolic succession—that succession of rebellions in Ireland since 1641, which were the natural result of the doctrines which from Sunday to Sunday were inculcated by the agents of the Roman Catholic Church respecting the "heretics" among whom they lived, and the heretical Government of which they were subjects. The matter he supposed would be treated with the usual contempt, although he had expected that, on the second reading of the Bill, some reply to what he had stated would have been attempted. Instead of treating his statements and arguments with levity it would be much better to answer them; but they were not answered because they did not admit of an answer. He would give a further intimation upon that subject. He believed that the Roman Catholic hierarchy and clergy were endeavouring to maintain the Fenian conspiracy.

Mr. ESMONDE said, he rose to order. The Question before them was, whether the Preamble of the Bill should be postponed; and he would put it to the Chairman whether the hon. Gentleman was speaking to that Question?

The CHAIRMAN said, the Question before them was, whether the Preamble of a Bill for removing certain religious disabilities should be postponed? and that question opened the general character of that measure.

Mr. WHALLEY: The Fenian conspiracy was at present discountenanced by the Roman Catholic hierarchy and priesthood, because it had for the moment served its turn. But it was still retained, and was not openly countenanced solely because that difficulty of England which was to be Ireland's opportunity had not yet arisen. In confirmation of that view he would ask the permission of the House to read a document with respect to the authenticity of which he hoped the noble Lord the Secretary for Ireland would afford facilities for proving, in the inquiry with reference to the proceedings of Mr. Justice Keogh. The document had been published in the newspapers of Canada and also in this country, and it naturally excited feelings of apprehension on the part of Protestants or Orangemen living in the midst of Roman Catholics. That document was the following oath which was said to be administered to the Fenian conspiracy:—

> "I swear by the Almighty God, by all in Heaven and upon earth, by the blessed and holy Prayer Book of my holy Church, by the blessed Virgin Mary, Mother of God, by her sorrows and groanings at the foot of the cross, by her tears and wailings, by the holy apostles St. Peter and St. Paul, by the glorious apostle of Ireland, St. Patrick,"—

(this is the person to whom Dr. Manning alluded, at least I believe it is the same)—

> "by the blessed and adorable Host, by our blessed and holy Church in all ages, and by our holy national martyrs, to fight on the Irish soil for the independence of Ireland until I wade up to the knees in the red gore of the Saxon tyrants and murderers, for the glorious cause of nationality, and to fight until there is not a single vestige, track, or footstep left to tell that the holy soil of Ireland was trodden by the Saxon robbers and murderers; and, moreover, when the English Protestant robbers and brutes in Ireland"—

(it was published in Canada, and in England, and he had fair reason to believe that it was an oath that had been extensively taken)—

> "shall be exterminated or driven into the sea like the swine Christ caused to be drowned, we shall then embark and take England and root out every vestige of the cursed brood of the adulterer and murderer, Henry the Eighth, and possess ourselves of the treasures of the beast that has so long kept our island of saints, Old Ireland, in the chains of bondage, and driven us from her genial shores exiles to a foreign land;"—

then came this passage, which he asked the noble Lord to include in the evidence in the inquiry about to take place—

> "and I will wade in the blood of all Orangemen and heretics who do not join us and become one of ourselves. Scotland having had her blood shed by the Beast, we shall leave her in her gore. To all this I swear with my eyes blindfolded, not knowing who to me administers this oath."

He would leave it to the hon. and learned Baronet the Member for Clare to decide whether he should by anticipation notice that oath, while he was asking them by his Bill to remove restrictions which had been deliberately adopted by Parliament, and which had been accepted by that very power which he represented.

Motion, "That the Preamble be *postponed," agreed to.*

Clause 1 (All the Queen's subjects, without reference to their Religious Belief, shall be eligible to hold the Offices of Lord Chancellor or Lord Lieutenant of Ireland).

Mr. CANDLISH said, he rose to move the omission from the clause of those words which related to the office of Lord Lieutenant of Ireland. In doing this, he felt that he was separating himself from his party, and he entered very unwillingly into the discussion of questions of that description; but he proposed his Amendment for a variety of reasons, one of which was, that in his opinion every argument which would tend to throw open the Viceregal office to a Roman Catholic would necessarily and irresistibly lead to the opening of the office of monarch of this country.

Amendment proposed,

In page 2, lines 2 and 3, to leave out the words "and the office of Lord Lieutenant, Lord Deputy, Lord Justice, or other Chief Governor or Governors of Ireland."—(*Mr. Candlish.*)

MR. SCHREIBER: I rise, Sir, to second the Amendment of the hon. Member for Sunderland. When this Bill was last before the House, an hon. and learned Gentleman (Mr. Roebuck), whom I do not now see in his place, but to whom I am indebted for much good advice on that occasion, spoke of the pain with which he always listened to discussions of this nature. But he forgot to add—and I may be permitted to remind the Committee—that the defenders of the *status in quo* can by no figure of speech be said to originate these debates; and as to the pain which they occasion, hon. Gentlemen opposite must not suppose that they have any monopoly of that. If I may judge, Sir, from my own feelings, these discussions are at least as painful to Members on this side as on that. But this is a case in which there is a principle to be defended, and a duty to be done, and which leaves no room for the consideration of what is personally agreeable or the opposite. I therefore think, Sir, we might very well be spared those indiscriminate charges of bigotry and intolerance which (permit me to say) furnish such a curious commentary on some people's enlightenment. Now, I think that I shall state the case correctly if I say that the argument of the supporters of this Bill proceed on this wise. They take, for example, the office of the Lord Chancellor of Ireland, and divest it of all its other incidents and attributes. They then proclaim it to possess a purely civil and judicial character, and as such to be fairly open to the just ambition of the Roman Catholic. Indeed, they contend that it is only proceeding in the spirit of the Act of 1829 so to open it. And I will frankly admit that if they could establish their position, it might be extremely difficult to resist these claims. Accordingly, to suit this train of argument we have lately been favoured by the right hon. Gentleman the Leader of the Opposition with a new and startling theory of the office of Lord Lieutenant. We are told that he is "a mere wheel in the Executive machine, receiving his impulse from an official, who may be a Roman Catholic." Is that a description, Sir, which exhausts the attributes of the Lord Lieutenant's office? Has he no representative position? I always thought he was, in an especial manner, the direct representative of the Sovereign in Ireland; that as such he held Courts, and conferred knighthood, and was prayed for in the Churches, and wielded the prerogative of mercy, and exercised a special supervision over the Irish branch of that United Church of England and Ireland, of which the Sovereign is the head. What other officer in the United Kingdom so distinctly exercises Viceregal functions? And then, Sir, as to the statement that he receives his orders from the Home Secretary, who may be a Roman Catholic, it would be more accurate, and more in accordance with the theory of the Constitution, to say that the Home Secretary, who may be a Roman Catholic, transmits the orders of the Sovereign, who must be a Protestant. The orders are not his own, they are merely transmitted through him from the Sovereign to the Sovereign's representative. It is then, Sir, on the connection of the Lord Chancellor with the Lord Lieutenant, and of the Lord Lieutenant with the Crown, that I, for one, rest my objection to this clause; and I conceive that considerations of a similar nature were present to the mind of the author of the Roman Catholic Relief Bill, who, wishing to guard the principle of the Protestant succession to the Throne, drew those lines around it which it is now sought to remove—leaving the Lord Chancellor of England and the Sovereign isolated in the necessary profession of their Protestantism. Passages abound, Sir, in the speeches of the late Sir Robert Peel, showing that he ascribed to the Roman Catholic system—viewed in its relation to civil society—a special aptitude for encroachment and aggression, and a singular impatience of equality, which induced him, by way of precaution, to lay upon it those restrictions—I suppose, Sir, I must not call them "weights"—of which it is now sought to get rid. And when I make that statement of an historical fact, how am I met? It is not contradicted, for it cannot be; but the hon. and learned Gentleman, whose absence I again regret, meets me with a question of this kind, "Was that the position in which the hon. Member for Cheltenham considered himself in reference to the Roman Catholic? Did he want the Roman Catholic to be weighted because he was a better man than himself?" That is a question which I shall answer with another, going more directly to the point. "Was that the position in which Sir Robert Peel considered himself in reference to the Roman Catholic? Did Sir Robert Peel want the Roman Catholic to be weighted because he was a better man than himself?" The idea, Sir, is preposterous. Sir Robert Peel was dealing with a system viewed in its relation to civil society, and it never entered his mind to institute personal comparisons, which least of all men he need have feared. Sir, he feared the system and took the precautions which I have described. Those precautions I believe to have been wise. As such they are regarded by the great body of the people of this country. As such I have ventured to defend them with my voice, and as such I shall support them by my vote. But do the events of recent years lend any colour to these views? Why, what has occurred, Sir, even in the present Session? The noble Lord the Chief Secretary for Ireland (Lord Naas) no sooner announced his readiness, upon a late occasion, to yield in the matter of the Lord Chancellor, than up rose the right hon. Gentleman the Leader of the Opposition, and "trumped" him with the Lord Lieutenant. And in the same manner, if my noble Friend had "led" the English Chancellor, the right hon. Gentleman, I presume, would have had no option but to play "his Queen." And all the while, Sir, *arbiter pugnæ*, there sits the hon. and learned Baronet watching the game in which, whoever else may lose, he and his friends can hardly fail to win. But the people of this country—the Protestant people of this country—are no party, Sir, to these transactions. They view with repugnance and alarm concessions of which they understand neither the motive or the necessity; and further concessions will assuredly give rise to a loud and angry protest on their part. And even now, Sir, I sometimes think that we may hear the first mutterings of the storm. Be that as it may, we are going to enfranchise the Members of a class which views these encroachments with peculiar jealousy, and who, with that vigorous one-sideness which is at once the *forte* and foible of their character, are certain to make short work of Motions of this kind and their authors. I therefore am convinced, Sir, that Roman Catholic gentlemen, *fortunati nimium sua si bona nórint*, fortunate as the subjects of a Protestant Sovereign and the citizens of a free country, would do well to pause before it is too late, and to accept the Act of 1829 as a settlement to be respected and maintained. When this question, Sir, was last before the House, many of Her Majesty's Ministers were unavoidably absent. [Mr. GLADSTONE: Hear, hear!] Absent in attendance, I believe, upon the Sovereign; but I hope that we shall now receive from the right hon. Gentleman the Chancellor of the Exchequer an explicit statement of their policy —a statement which shall leave no doubt that it is a policy Conservative of the Protestant Constitution of this country.

MR. MONSELL said, he would venture to suggest that both the hon. Gentlemen who had addressed the House upon this question had mistaken the principles of the Constitution of this country, which were not founded upon the idea of excluding any person from the councils of the Sovereign, or from office, on account of religious opinions. If he recollected rightly, it was Lord Bacon who contrasted the citizenship in this country with the citizenship of the Roman Empire, showing that while in the latter there were various forms of citizenship, that privilege in our own country was complete and entire; and that everybody, unless there were some special reason to the contrary, was eligible for office under the Crown. The adoption of a contrary opinion would be not only an abridgment of the right of the subject but also an abridgment of the prerogative of the Crown—for it was the undoubted prerogative of Her Majesty to select for the performance of public duties such persons as she might think fit. He felt convinced that the two hon. Gentlemen who had addressed the Committee had not adduced a single reason in proof of the assertion that the Lord Lieutenant of Ireland ought not to be a Roman Catholic, or to show that any danger would arise from such a selection being made. The hon. Member who commenced the discussion had stated that this would be a step towards getting rid of the Protestant succession; but the Protestant succession rested upon the principle that the majority of the people of the United Kingdom were Protestants; consequently, the arguments of the hon. Gentleman—if they possessed any force at all—would go far to show that Ireland, being a Roman Catholic country, ought to have a Roman Catholic Lord Lieutenant as her Governor. He begged the Committee to remember that the question they were discussing was a serious one. It was the one referred to in the preamble of the Bill—that of religious equality; and without that religious equality the people of Ireland never would be satisfied. As long as there was a distinction made between the majority and the minority of the people of Ireland to the disadvantage of the majority, so long would there be discontent in that country. Discontent would produce its legitimate and illegitimate results, and would lead people who were otherwise loyal to act in a manner in which unfortunately too many persons in Ireland were now acting with regard to the Constitution of this country. He could only express his deep conviction that there never would be thorough peace in Ireland until complete religious equality had been established in that country; while if, on the other hand, they established that equality, loyalty and order would prevail among a people who, as a rule, were more strongly inclined than most other people were to pay respect to authority.

Mr. NEWDEGATE: I do not know, Sir, whether the right hon. Gentleman the Member for Limerick is aware of the extent to which his argument may be carried. He states, that the only reason why the monarchy of this country is Protestant is that the majority of the people are Protestants, and that it is by their will of the hour that the monarchy is Protestant. He seemed to justify the retention of the Protestant character of the monarchy of this country on that ground, and to remain satisfied with it. But then the right hon. Gentleman turns to Ireland, and, speaking as if with authority, said that the people of Ireland are Roman Catholics, and that unless complete religious equality was established in that country they would never be satisfied. I am quite aware that the Roman Catholic Members from Ireland have unanimously adopted that opinion under the instructions they have received; because, Sir, we have recently seen in the Roman Catholic papers an authoritative letter from Dr. Moriarty, who claims, legally or illegally, to be called Bishop of Kerry, setting forth that view. He has no right to the title by law; but he assumes it, and he has stated the argument which has met with the approval of Gentlemen opposite. I fully admit that Cardinal Legate Cullen and all the prelates and priests who are under his authority hold that doctrine with respect to Ireland. And what does it lead to? It leads to this—that Ireland is to be governed upon principles different from those on which England is governed. Now, one of the most distinguished Irishmen of modern times, one who commanded largely the support of his countrymen, held that opinion. That is the opinion which was held by the late Mr. O'Connell, who throughout his life agitated for the repeal of the Union, and consistently; for unless the same principles of Government are to prevail in Ireland as those which prevail in England and Scotland, the Union is an abuse. Mr. O'Connell, in his repeated declarations against the Union, was consistent; and the argument used by the right hon. Gentleman the Member for Limerick goes directly to this, that the Union ought to be repealed. The right hon. Gentleman was also pleased to say that it was an undue limitation of the prerogative of the Crown that any person whom the Crown might nominate or wish to nominate to an office should be excluded by law on account of his religious belief. Sir, the right hon. Gentleman seems to have forgotten that the prerogative of the Crown is limited by the Act of Settlement and by other laws of this country. He seems to have forgotten that since the year 1688, if not before, but certainly since the Revolution, it is provided that the Crown of this country shall be held upon certain conditions, defined by law, which were first embodied in the Bill of Rights, and then with the Bill of Rights were embodied in the Act of Settlement, and that by the Act of Settlement the Crown is limited to the descendants of the Electress Sophia of Hanover, being Protestants. The right hon. Gentleman has been pleased to give his own definition of the prerogative of the Crown; and there is an exact authority for the definition he has given which I hold in my hand. It is the Declaration which James II. issued. I have that Declaration here, and with the permission of the House I will read the substance of it. The right hon. Gentleman will then see how precisely he has enunciated the very principles for attempting to enforce which James II., with his descendants, was expelled from the Throne of these realms. The pith of the Declaration is contained in these extracts—

> "His Majesty's Gracious Declaration to all his Loving Subjects for Liberty of Conscience.
>
> "We cannot but heartily wish, as it will easily be believed, that the people of our dominions were members of the Catholic Church."

And that I have no doubt is the wish of the right hon. Gentleman.

> "We humbly thank Almighty God it is, and long time has been, our constant sense and opinion, which upon divers occasions we have declared, that conscience ought not to be constrained, nor people forced in matters of religion. It has ever been directly contrary to our inclination, as we think it is to the interests of Government, which it destroys by spoiling trade, depopulating countries, and discouraging strangers; and, finally, that it never obtained the end for which it was employed, &c. We therefore, out of our princely care and affection unto all our loving subjects, that they may live at ease and quiet, and for the increase of trade and the encouragement of strangers, have thought fit, by virtue of our Royal prerogative, to issue forth this declaration of indulgence, making no doubt of the concurrence of our two Houses of Parliament, when we shall think it convenient for them to meet, &c. And, forasmuch as we are desirous to have the benefit of the service of all our loving subjects, which by the law of nature is inseparably annexed to and inherent in our Royal person, and that none of our subjects may for the future be under any discouragement or disability, who are otherwise well inclined and fit to serve us, by reason of some oaths and tests, that have usually been administered on such occasions, we do hereby further declare that it is our Royal will and pleasure that the oaths commonly called the oaths of supremacy and allegiance, and also the several tests and declarations mentioned in Acts of Parliament made in the 25th and 30th years of the reign of our late Royal brother, Charles II.,"—

These are the very tests we are now called upon to deal with—

> "shall not hereafter at any time be required to be taken or subscribed by any person or persons whatsoever, who is or shall be employed in any office or place of trust, either civil or military, under us or in our Government; and we do further declare it to be our pleasure and intention from time to time hereafter to grant our Royal dispensation, under our Great Seal, to all our loyal subjects so to be employed, who shall not take the said oaths or subscribe or declare the tests or declarations in the above-mentioned Acts and every of them."

Now, Sir, it was for issuing that declaration, which the Bishops refused to have read in the churches; it was because James II. sought to thrust these principles upon the people of the United Kingdom, that the House of Stuart was deposed and banished the country. I am glad that the right hon. Gentleman has been so outspoken, because he has been labouring for years among the oaths and declarations required by the Constitution of this country, to which he has now pronounced his emphatic hostility. He has declared emphatically that Ireland will never be satisfied, and that the inducements to revolt and rebellion never will cease, until the English people abandon the Protestant Constitution under which they live — that Protestant Constitution which they established by a revolution; that Protestant Constitution which secured their liberties; that Protestant Constitution which, I believe, they are prepared to defend. Sir, it is very fortunate that we have at last an explicit declaration upon this subject. I admit, to the right hon. Gentleman, that there are as many circumstances at the present time which might induce the House to consider whether it would not be advantageous to repeal the Union and govern Ireland upon different principles to those which are applied in England. Look at the existing state of things. The Habeas Corpus Act is suspended in Ireland. If we are to govern Ireland upon the principles of James II. we have it upon the authority of Mr. Hallam that the object of that monarch was to get rid of the Test Act and the oaths, because they prevented the establishment of the Roman Catholic Church, and also to get rid of the Habeas Corpus Act, because he held that that Act limited the absolute sovereignty, which he desired to establish. The sovereignty being absolute would exactly coincide with the prerogative the right hon. Gentleman wishes to establish, and of which he says the laws he now proposes to abolish are an infraction. Strange to say the right hon. Gentleman and the Liberal party have for years past been proceeding upon the policy of James II. Why, during the reign of James II. many of the ultra-Nonconformists hailed his adoption of that policy, for they believed that under his notion of religious equality they were to enjoy perfect freedom, but the King and his advisers knew better than that. They held out to the Dissenters and Liberals of that day the repeal of the Tests Acts; but they took care to keep in the background the fact that they meant also to abolish the rights and the freedom which the people enjoyed under the Habeas Corpus Act. They did not inform the people of this, until near the close of the unhappy reign of James II., when he showed clearly that he meant to govern absolutely, and without Parliament. It is said if the Union was repealed, that it would be difficult to re-establish the Irish Parliament; but, according to the principles enunciated by the right hon. Gentleman the Member for Limerick, Ireland ought to be governed without any Parliament at all. In other words, as the hon. Member for Clare hinted the other day, Ireland ought to be governed as a dependency. But since I pointed out where these principles would lead them, his supporters have cooled in their enunciation, if not in admiration of them; but, basing my argument upon the principles of your legislation, and the speech made by so influential a Member from Ireland as the right hon. Gentleman, I have a perfect right to show you the direction in which you are tending. It is well known that the establishment or ascendancy of the Roman Catholic Church is everywhere adverse to free and Constitutional Government. Take the establishment of the Roman Catholic religion, and with it you take absolute government. Have the events even of recent times been swept from your memory. Have you forgotten that the Jesuits in Naples professed openly to the late King—not the exiled King, but his father—that their order was devoted to the establishment of absolute government? It is a well-known fact. It is contained in a document, which has been published—a thing that is seldom done in such cases. There was a slight difference between the late King of Naples, the father of the present deposed King, and the Jesuit Order; and the latter published—as I observed they rarely do—a document, in which they professed their adhesion to the Neapolitan dynasty, because it was an absolute government. You cannot deny that these principles—the principles that have been enunciated by the right hon. Gentleman—the principle of throwing open all offices indiscriminately to persons of every and any creed, and the establishment of the Roman Catholic Church, which the right hon. Gentleman avowedly seeks on every occasion, involve the establishment of absolute government; and if you wish that Ireland should be governed as a dependency, perhaps you may be gratified by a repeal of the Union, and by seeing Ireland governed as a dependency. Desiring to preserve to you not less than to ourselves the Constitutional freedom which we rejoice to have extended to our fellow-countrymen, I cannot obliterate from my mind all the warnings of history. I and those with whom I act refuse to abandon the securities provided by the Constitution under which we live, and the laws which give it force. Say what you will, you cannot change the nature of a religion. The Protestant religion tends to freedom—the Roman Catholic religion tends to absolute government. And not even at your own request, prompted by those who seek to establish in Ireland the domination of a foreign Power, not even at your own request will I consent to sacrifice, at the dictation of the misguided zeal by which you are directed, the liberties that you now enjoy, and which the proposal before the House tends to endanger.

Mr. PIM said, that not long since a Bill was passed in that House for the Confederation of the North-American provinces, but no one thought of proposing any restriction on the religion of the representative of the Sovereign in Canada. And yet what difference was there between Ireland and Canada, except that Ireland was nearer? There was a very large Roman Catholic population in Canada. Lower Canada was chiefly Roman Catholic, but no restriction had been made upon the religion of the Viceroy. If the restriction was needful in Ireland, surely it ought to have been carried out in Canada. He wished to put it to the Scotch representatives in that House what would be the feelings of the people of Scotland if a representative of the Queen were living in the old palace at Holyrood, and the law provided that that representative should not be a presbyterian? If those hon. Gentlemen who represented Scotland would for a moment reflect upon that point, and would take into consideration the propriety of acting towards others as they would wish to be done by, they could have no hesitation in voting in favour of the present Bill. He must express his surprise that the hon. Member for North Warwickshire should have taken exception to the remark of the right hon. Member for Limerick, that the Roman Catholics of Ireland would not cease to agitate for perfect equality. Three-fourths of the people of Ireland were Roman Catholics, and though he was as thorough a Protestant as any man in that House, he thoroughly sympathized with and felt the justice of their agitating upon this question. If Members of the Protestant Faith constituted three-quarters of the population of Ireland, and were situated as the Roman Catholics in that country were, would they not, he would ask, think that they were acting in a manner derogatory to their dignity as men if they did not, so long as they believed there was a chance of attaining their object, agitate for a change analogous to that which was now proposed? It had been suggested that the Act of Settlement was imperilled by this measure; but he could no more imagine the possibility of a Roman Catholic Sovereign of England than he could imagine the possibility of a Protestant Emperor of France. In each country the Faith of the Sovereign would be determined by that of the great majority of the population. If they were settling this question he urged them to settle it entirely, and not leave behind one disability to remind the Irish people of the whole series of disabilities which had existed 100 years ago.

MR. VANCE said, that he must regard the proposal under discussion as a new chapter in the history of Papal aggression. Sir Robert Peel, before he became a convert to the expediency of granting a Roman Catholic emancipation, prophesied that if such a measure were to pass, there would be a number of Roman Catholic Members in that House who would act together as one man, and who, holding the balance between the two opposing parties, would be able in time of difficulty, as it were, to control both. An instance of the correctness of that prophecy was, he believed, furnished on the present occasion. Nobody would some time ago have foretold that the noble Lord the Chief Secretary for Ireland would have consented to give up so completely the Irish Lord Chancellor, or that the right hon. Gentleman the Member for South Lancashire would have bid higher still by giving up the Lord Lieutenant. Let the Committee reflect on some of the minor consequences of what they were asked to accede to. It was distinctly provided by the Act of 1829 that the Lord Lieutenant of Ireland should not be a Roman Catholic, and the office was in every respect a Protestant office. The Lord Lieutenant, as a Protestant, attended the Chapel Royal each Sunday. Was it to be turned into a Roman Catholic chapel if a Roman Catholic Lord Lieutenant were appointed, as would no doubt be the case, to conciliate the support of the small party who held the balance of power between the rival parties? The Lord Lieutenant had attached to him a dean, sub-dean, and thirty-six chaplains, and he should like to know, in the event he had described, what religion the dean, sub-dean, and thirty-six chaplains were to profess? The Lord Lieutenant had considerable ecclesiastical patronage. By what tribunal was it to be exercised if the holder of the office were a Roman Catholic? The fact was, that if it were enacted that the Lord Lieutenant might belong to the Roman Catholic persuasion, the whole office must be re-cast. The Committee, he might add, was asked to proceed on a most dangerous course. The other evening certain Roman Catholic Members proposed and supported a Bill for the repeal of the Ecclesiastical Titles Act, but others, more wary, opposed it, because they saw that it affected England as well as Ireland, and they feared that the attention of English Protestants might be directed to projects which had lately been brought before the House, and that public indignation would be roused so as to render their success impossible. The precedent which would be established by permitting a Roman Catholic to be Lord Lieutenant of Ireland, would soon be insisted on in England to the extent of a person of that persuasion being held eligible for the Crown of Great Britain, and so the Act of Settlement would soon be set aside.

MR. SYNAN said, that the hon. Member for North Warwickshire, practically, according to his own arguments, appeared to be the only Member of that House who advocated the repeal of the Union between England and Ireland.

MR. NEWDEGATE: The hon. Member has totally misrepresented me. I opposed principles which I believe would lead to a repeal of the Union.

MR. SYNAN said, he considered that the most successful agitators for a repeal of the Union were those who opposed the application of the principles of civil and religious liberty and the establishment of perfect religious equality amongst all Her Majesty's subjects. The hon. Member for Armagh (Mr. Vance) opposed the Bill because it would lead, as he thought, to a repeal of the Act of Succession; but in no respect was the Lord Lieutenant included in, or affected by, the Act of Succession. The hon. Member further said he feared that the Lord Lieutenant's chaplains would become Roman Catholics, but that was no argument against the Bill. The measure was founded upon the principle of the establishment of perfect, civil, and religious equality in Ireland, and he thought it would commend itself to the common sense and justice of every Member of that House.

MR. KINNAIRD said, that the hon. Member for Dublin had invited the opinion of a Scotch Member, and he would candidly give it to him. The Scotch Members did not come there asking for a Lord Lieutenant for Scotland; they did not want such an officer. The people of Scotland were too economical and would not sanction such waste. That House had twice voted that the office of the Viceroy of Ireland should be dispensed with; and the late Duke of Wellington, in one of the last speeches which he made, prevented that consummation from being attained, asking with whom the Home Secretary could communicate on Irish affairs in the event of the withdrawal of the Lord Lieutenant, and whether he was to do so with the Lord Mayor of Dublin or with the Mayor of Kilkenny, who was at that time in gaol for rebellion. If the Lord Lieutenant were to go away altogether from Ireland and take his thirty-six chaplains with him, there would be an end to the question now before them.

MR. GOSCHEN said, there were two things which ought to take place before they went to a division — the one was that hon. Gentlemen opposite should allow one English Member on the Liberal side of the House to speak on that question; and the other was that time should be given to the Government to pronounce their opinion upon it. It would, he thought, be very unfair towards the Irish Members to go to a division before they had heard the views of the Government; and, on the other hand, the Liberal party ought not to leave the conduct of the debate entirely to the Irish Members. The Motion of the hon. Baronet ought to be accepted and indorsed by the Liberal party, which had gained many victories in the cause of civil and religious liberty in conjunction with the Irish Members, whom, he was sure, that party would not desert when such an issue was raised. He was sorry that the Amendment had proceeded from his side of the House. He knew there was some truth in what was urged by certain hon. Members opposite —namely, that there was a large body in this country who viewed with some alarm these aggressive Motions, as they termed them. But if there was one duty which seemed to him more incumbent than another in these cases upon English Members of Parliament, it was to speak plainly to their constituents if they put pressure upon them on subjects of that kind. [An hon. MEMBER: There is no pressure.] He said there were many constituencies which were alarmed at Motions like the present; and hon. Gentlemen opposite cheered him when he made use of that expression; and the Members for such constituencies ought to tell those whom they represented that they had to deal, not only with questions affecting England, which was Protestant, but with questions affecting Ireland, which was Roman Catholic; that, however much their constituents might be opposed to Popery, "No Popery" could not be the cry for a country where four-fifths of the people were Roman Catholics. How was it possible for Parliament to govern Ireland satisfactorily if the views of that class of Protestants were to be enforced upon that country? He would ask the House whether any real danger had been pointed out as likely to arise to Ireland from the appointment, even if it were made, of a Roman Catholic Lord Lieutenant for that country? Hon. Gentlemen opposite confined themselves to going back to the Act of Settlement and the reign of James II., as if it was not because what had been done had not been done completely that they had failed to satisfy Ireland and had left her as discontented as she was unhappily seen to be. For these reasons it seemed to him the last vestiges of religious disability ought now to be swept away. They knew what was the matter with Ireland—that it was outraged national sentiment to a great extent. If so small a Bill as that would soften existing asperities in any degree, the Liberal party would do well to support it; and he had some confidence, after the course they had taken on the second reading, that the Government would share in the views he had expressed.

MR. KER said, he wished to call the attention of the House to this fact, that Ireland was not altogether a Roman Catholic country, for there was a numerous body of people there who were essentially Protestant; and even if they were small in number their views and feelings should not be ignored in that House.

MR. SERJEANT BARRY said, he at first thought that it would have been better for his hon. and learned Friend the Member for Clare to accept the Amendment of the hon. Member for Sunderland, and to have allowed the question of the Lord Lieutenant to remain for future discussion; but he now thought that the time had arrived when such discussions should terminate in that House, and that the name of Roman Catholic disabilities should never again be heard within those walls. When his countrymen looked for a redress of their grievances to the Imperial Parliament, it was a sad and embarrassing reflection that, owing to the effects of misgovernment, British troops were now again pursuing the footsteps of Irish armed insurrectionists. But to the present hour—and the best working half of the Session was drawing to its close—not the slightest remedy or palliation for the evils afflicting that unfortunate country had been applied. He regarded the present measure as an insignificant one; but it was, perhaps, as large a measure as was within the scope of a private Member. Larger measures must originate with the Government. But up to this time no proposal had been made, except a proposal for the continuation of the suspension of the Habeas Corpus Act and one for the permanent fortification of the police barracks in that country. When they considered how few Lord Lieutenants could be Roman Catholics, and also how little the Lord Lieutenant had to do, except to administer the laws, it was an insult to Protestantism, and to its hold on the affections and conditions of the people of this country, gravely to argue that its interests were in any way bound up with or dependent upon the maintenance of a Protestant Viceroy in Ireland. With equal justice it might be said that this Motion went to the abolition of the standing army, or to the repudiation of the National Debt, as that it aimed a blow at the Protestant succession. If any man were to assert that these Protestant institutions were not deeply rooted in the hearts of the people of England they would be very much offended, and utter an indignant denial if they were told that these institutions could be affected by the question whether the Lord Lieutenant was to be a Roman Catholic or not. He could understand those who wished the Bill to be rejected altogether; but he could not understand those who drew a distinction between the office of Lord Chancellor and Lord Lieutenant, and thought they were open to the charge of inconsistency. It was said that there was a settlement in 1829, and that the Roman Catholics ought to be content with that settlement. He denied that there was any such settlement. There was no bar in that Act to prevent Roman Catholics from asserting their rights. There was no finality except that of complete equality. It was an injustice in the year 1867 to quote Sir Robert Peel as an authority in favour of these invidious distinctions. Were that statesman now alive, he believed he would regard what at one time might have been safeguards as irritating sources of discontent. He hoped the Committee would accept the Bill as it originally stood, and reject the Amendment.

THE CHANCELLOR OF THE EXCHEQUER: The right hon. Gentleman the Member for the City has just asserted that we all know what is the matter with Ireland. I can assure him, as far as I am concerned, that I do not share that knowledge. I know he is a very able man, and he must be a very favoured one if he has thoroughly mastered the causes of disaffection which afflict that country. I think the debate of this evening must have given us all reason to feel that there is some truth in the observations I am making. At this moment Ireland is the scene of a conspiracy constantly on the point of breaking out, and for which no one has yet assigned any authentic reason—which is not national—which is not indigenous—which is said to be imported—and which, if it does not come from the other side of the Atlantic, is assisted by sympathies on the European Continent. There can be no doubt that certain effects are produced by these extraneous agencies, which are extremely inconvenient, not only to those who govern, but also to those who are governed. I am therefore surprised that the right hon. Gentleman should have announced so distinctly that we are all acquainted with the causes of the disorders and discontents of the country, which certainly appear to me to deserve the deepest consideration, but which may also perplex the most attentive. In the course of the debate to-night considerable reference has been made to the conspiracy now so prevalent in Ireland, and its causes have been attributed to the influence of the Roman Catholic priesthood. I do not want to go into details on that subject — one that might lead to controversy and divert our attention from what is before us as a simple matter; but I could not allow the observations which I have heard, and heard at much length, charging sympathy and connivance with the Fenian insurrection to the Roman Catholic priesthood, to be made, without rising and stating, as a Minister of the Crown, that from our experience of all that has passed with regard to this unfortunate conspiracy and insurrection, and with regard to all that is occurring even up to the present moment, we have had no cause to feel any distrust of the loyalty of the Roman Catholic priesthood. And I will go further and say that to their sympathy with the Crown and the interests of England—to the information which they have given—to the general information and valuable knowledge which they possessed and have afforded, we have been much indebted and greatly assisted in the management of affairs of extreme difficulty; and, although we have been obliged to have recourse to severity, I trust the country will feel that it has not been an extreme severity, but that it has been tempered with that discretion of which real force knows how to avail itself. With regard to the present question before us, it is very important that we should distinguish between the nature of things which seem similar, but which are really distinct. The conditions on which the Roman Catholic Emancipation Act was passed are not part of the English Constitution. They were a statesmanlike settlement, and, as a statesmanlike settlement, they were adapted to the time and circumstances with which those statesmen had to deal. They were founded, no doubt, partly on principle and partly upon expediency, and, generally speaking, they were adjusted to the requirements of the period to which they related. But although I look upon those arrangements as the arrangements of very wise and considerate men, I do not hold that we are foreclosed from revising the policy under which those arrangements were recommended to Parliament. Now, with regard to the two particular offices touched by the present discussion, my noble Friend the Secretary for Ireland, with the frankness and clearness which distinguish him, made a statement to the House some time ago, in which I entirely agree. I believe from what I myself heard some years ago from one who was a great authority connected with this settlement, that the intrusion into the arrangement of the office of the Lord Chancellor of Ireland was a step founded in error. It arose from a misconception of the circumstances connected with that office, and from the mistaken belief that it was identical in its attributes, influence, and patronage with the office of Lord Chancellor in England. The Lord Chancellor of England is placed in a peculiar position with regard to the Church of England. He has great control over the patronage of the Church, and he is peculiarly the Adviser of the Crown in all matters connected with the Church. That is a very good reason why we should maintain in the Constitution of this country that the person who holds the office of Lord Chancellor of England should profess the Protestant religion. But there is not now, and there never has been, anything in the office of Lord Chancellor of Ireland which renders it unfitting that it should be held by a Roman Catholic. It is not connected with Church patronage, nor does it possess any peculiar relations with the Established Church in Ireland. It is simply the highest legal office, and as such the greatest prize that can be enjoyed by the legal profession, and it is therefore desirable that every Irishman, whatever his creed, should have the opportunity of obtaining that high dignity. But there is a very great difference between the two offices of Lord Chancellor and Lord Lieutenant; and even if the distinction were not so complete and absolute as I think it is, it would be, in my opinion, the most unwise and indiscreet act for the Roman Catholics to press a change in the law in respect to the office of Lord Lieutenant. That would be a course which would only revive prejudices and re-call animosities which I had hoped, if they had not been entirely banished, were greatly appeased. The Lord Lieutenant is the direct representative of the Sovereign of this country, and he is placed in intimate relations with the patronage of the Established Church of England in Ireland, and it would be a most unwise course for us to sanction a change that would create great distrust and dissatisfaction in the minds of the population of this country. Therefore, the course originally taken in this debate by my noble Friend the Chief Secretary for Ireland was discreet and wise—a course founded on principle, while to proceed further than the line which he indicated would very much offend the feelings of a great majority of the population of this country. It would, at the same time, create considerable distrust and alarm, and be an obstacle to the encouragement of those feelings which I have always endeavoured to foster; and instead of inducing that equality of position and sentiment of which we have heard so much, would rather tend to produce exactly the reverse. Therefore, as far as I am concerned, I shall support the Amendment, which is in unison with the policy of my noble Friend. I am quite willing to open to Irishmen, whatever may be their religious creed, the office of Lord Chancellor. I see no reason why difference of religion should be a bar to any Irishman arriving at that distinction. But I cannot sanction the other part of the Bill; and I believe that we shall be acting a discreet and proper part by determining that the relations of the Lord Lieutenant with regard to the Crown and the country shall not be changed in the manner proposed.

MR. GLADSTONE: The right hon. Gentleman the Chancellor of the Exchequer has spoken on this subject with a moderation and with a studious and unaffected concern for the feelings of the people of Ireland, which, in my opinion, do him honour. But, at the same time, I think it must have been obvious to the House that in the argumentative portion of his speech he felt the difficulties of his position; and to use an old and familiar expression drawn from a high source, "his wheels drave heavily." The right hon. Gentleman must be conscious that it is upon grounds of no breadth that he offers a resistance to a most important portion of the Bill. He commenced his speech by stating that he did not pretend to know the source of the evils of Ireland, and it would be most presumptuous in me to contradict him, or to assert for myself any such knowledge. But although it may be true that there are ancient wounds which we cannot heal, and which perhaps are not yet probed to the bottom, still physicians when dealing with the constitution of a patient, even when they doubt as to the ultimate seat of the disease, have recourse to alterative methods, by which they can soothe, if with limited benefit, and which they confidently hope will do something to mitigate the disease. Admitting frankly the fairness of the statement of the right hon. Gentleman, I must say that if we strictly observe the paramount principles of civil justice—if we carefully attend to the susceptibilities of national feelings—although we may not go straight to the core of the evils of Ireland, we shall assuage their intensity and prepare the way for the ultimate operation. The right hon. Gentleman draws a distinction between the two offices of Lord Lieutenant and Lord Chancellor. He says with regard to the former that its occupant holds a peculiar position with regard to Church patronage. The Bill, however, proposes to divest a Roman Catholic Lord Lieutenant of the exercise of that patronage; and, in the second place, even if it did not, the fact would still remain that the Lord Lieutenant has not one shadow of the higher responsibility with regard to ecclesiastical patronage. Whatever he does is done under the responsibility of the Ministers of the Crown. Then we are told he is a representative of the Crown. Certainly he is the representative of the Crown on all matters of dignity, of ceremonial, of courts, drawing-rooms, and on public occasions, when ladies are presented to him, and in various functions of that description. But this is not to be denied, that the constitutional responsibility of the Lord Lieutenant is inferior in dignity and weight to that of the Ministers forming the Cabinet, and that still the very place of the Minister who specially superintends the Lord Lieutenant in the exercise of his duties—namely, the Secretary of State for the Home Department—may at any time be filled by a Roman Catholic. The right hon. Gentleman has said that those who propose and support this measure will in pressing it revive prejudices and excite animosities. But when we are told that we are not to apply to Ireland principles different from those which we apply to England and Scotland, I say that the same principles, so far as they are consistent with the unity of the Empire, should be consulted in framing the laws and institutions of each country. My belief is, that to follow out to their natural conclusion, courageously, prudently, but firmly, the principles of strict civil justice is the way not to weaken and disparage, but to confirm and consolidate those institutions. The right hon. Gentleman says, that to press these claims would awaken animosities and revive prejudices. Where? In Ireland? No, but in England. But is that a sufficient reason why a majority of the people of Ireland should be debarred and deprived of enjoying a matter of a civil right, because the minority allege that their prejudices would be wounded? Now, I ask, is that a fair, generous, and equitable mode of handling this question? Is it a mode by which we may seek to soothe the sore and wounded feelings of the people of Ireland, if, on a question that is not English, but Irish, we are to say to the people of Ireland, "Abate your rights, do not urge your demands, because we who inhabit England and Scotland in a matter purely Irish declare we have prejudices which you must respect?" There is no man in the House, I think, who seriously would urge or could possibly believe—certain I am that the right hon. Gentleman will not seriously urge and cannot possibly believe—that danger would result to the Constitution, the Church, and the religion of the country by the contingency—not arising at the moment, but should it ever arise—by the holding of the office of Lord Lieutenant by a Roman Catholic subject of the Queen. I am only doing the right hon. Gentleman justice when I point out to the House that the right hon. Gentleman in his speech made no such allegation. He rested his opposition on the question of the ecclesiastical patronage of the Lord Lieutenant, which the Bill proposes to take away; he rested it on the representation of the Crown by the Lord Lieutenant, which representation is exercised under the control and responsibility of the Government and a Minister of the Crown, who by the existing law may be a Roman Cotholic; he rested it on the prejudice of this country, to which it would be most unworthy of us to give weight as against the civil rights of a people who are not English, but Irish. But of danger to the Constitution, the right hon. Gentleman has not said a word; and I am persuaded that he believes that danger to be a phantom. If danger there be, it is in this:—in slackness, in reluctance, in niggardliness on our part in dealing with those claims of Ireland which are founded on justice. But to extend largely and liberally civil equality to the entire of Her Majesty's subjects in these kingdoms is the true way of consulting the interests of the religion, the Church, and the Constitution of this country.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided:*—Ayes 140; Noes 143: Majority 3.

Clause *agreed to.*

Remaining clauses *agreed to.*

Mr. Gladstone

SIR COLMAN O'LOGHLEN said, that in the debate on the second reading, the noble Lord the Chief Secretary for Ireland called his attention to the fact that the Lord Chancellor had some jurisdiction in the appointment of delegates for hearing ecclesiastical appeals, and was an *ex officio* trustee of certain Protestant charities. He had consequently prepared a clause providing that when the office was filled by a Roman Catholic those functions should devolve on one of the Chief Judges, being a Protestant.

Clause *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

TRANSUBSTANTIATION, &c., DECLARATION ABOLITION BILL.

(*Sir Colman O'Loghlen, Mr. Cogan, Sir John Gray.*)

[BILL 6.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

MR. NEWDEGATE: Sir, the hon. Baronet the Member for Clare (Sir Colman O'Loghlen) having assigned no reasons whatever for his introduction of this Bill in the present Session, I am bound to conclude that he is actuated by the same reason which prompted him to bring in this Bill last Session. These were that the Declaration, prescribed by the Act of Charles II., which is embodied in the Act of Settlement, and by that Act is required to be made by the Sovereign of these realms at his or her coronation—that this declaration of adhesion to the Protestant religion is considered so offensive by Roman Catholics, that they will not permit any Protestant officer of State to pronounce it. Now, I beg the Committee to observe how these matters proceed. We have had an eloquent oration to-night from the right hon. Gentleman the Leader of the Opposition against preserving any office to persons of the same religion as the Sovereign, and every argument that the right hon. Gentleman used struck directly at the principle that the Sovereign ought to be a Protestant. I know there is a most extraordinary indifference to these Constitutional questions in this House. In my experience I have never known a Parliament in which the principle of religious indifference, to say the least, was so manifest as in the present. It appears to me that the opinions of the Protestant people of this country are neglected and wilfully violated; every principle they most value is bartered away for the sake of the political convenience of the moment. I am happy to say, however, that the people of this country are at last becoming sensible of this; and although the right hon. Gentleman the Member for South Lancashire and his Friends may disregard the opinions of their constituents, I have reason to believe that gradually their constituents are coming to the conclusion that, unless they act with energy, the government of the country must eventually and permanently lapse into the hands of the only party in the House who consistently seek to establish the domination of the power they represent—I mean the power of the Papacy. I know that this feeling exists. I know also that it is justifiable. I am, nevertheless, most desirous of avoiding anything needlessly offensive to my Roman Catholic fellow-subjects. I therefore propose an Amendment which would remove from the declaration certain words that they deem to be objectionable. That these words are offensive, however, is a new discovery; for this declaration has existed ever since the reign of Charles II.; and it has only just been discovered by the Roman Catholic Members of this House, that it is an offence on the part of Protestants if they express their religious opinions. Whilst hon. Gentlemen are proclaiming the doctrine of religious equality in this House, his Holiness of Rome is denouncing that principle; commanding his officers to abjure it; forbidding them to unite with any other religion whatever, and urging them to be more and more exclusive. Nevertheless, with characteristic carelessness, the more stringent the directions issued from Rome and the more evident the obedience which they command, the more lax is the guardianship extended to the Protestant Constitution of the country by this House. There is a good deal of idle declamation about the bigotry of Protestants; but what bigotry can be greater than that of a Bill by which the Roman Catholic hierarchy and the Roman Catholic body forbid the Protestant officers of the State to express their religious convictions in a form that has existed and been in use for more than 200 years? Can any intolerance surpass that? Why, Sir, it would have been but decent that a Protestant should move this Bill; but no, it is reserved for a Roman Catholic, an active, energetic, zealous Roman Catholic, in obedience to his superiors, to desire that the House should abolish a declaration made by the Protestants. I confess that to me this appears an act of aggressive intolerance that ought to excite a just indignation throughout the country. If Protestantism is to be strong, however, Protestantism must continue to be tolerant. I propose, therefore, that whilst retaining the requirement for the declaration of those opinions, which constitute the distinctive features of the purity of the Protestant faith, as contrasted with what we believe to be the corruptions of the Church of Rome, we——[*Laughter from Sir George Bowyer.*] The hon. Baronet opposite is ever the exponent of intolerance, and was never more so than in the manner in which he has just given vent to his feelings. [*Laughter.*] Why, look at him now! Is he not the very picture of sarcastic intolerance? Anything that is said in the course of debate which is not agreeable to him he laughs at or flatly denies; and after having himself expressed in this House extreme Roman Catholic opinions, no sooner does a Protestant Member rise to propose the removal of what he himself proclaims to be offensive, than the hon. Baronet receives him with interruption and ridicule. This Bill marks another step in the career of concession to the Papacy. That is the sense in which it is moved, and it is in that sense I resist it, and I resist it in this manner—by seeking to substitute for a declaration, which is asserted to be offensive in the terms in which it is expressed, another that cannot be fairly said to be so, though about the meaning of it there can be no mistake, inasmuch as it distinctly repudiates the doctrines of the Church of Rome to which Protestants object; but it is free from every offensive word that might serve as a hook upon which the hon. Baronet might hang his ribaldry. For this purpose, and acting under the advice of Sir Hugh Cairns and Sir James Whiteside, I prepared this Amendment last Session. I will not read the terms of the existing declaration, because I am told that those terms are offensive; but I will read the words of the two articles of religion which are embodied by reference in the declaration I propose to substitute for the present; because I wish to show to the House that there is in them no expression which should be offensive to the Roman Catholic, who is really liberal, really tolerant of the opinions of others. For 300 years the Protestants have thus declared their rejection of the doctrine of transubstantiation—that cardinal dogma of the Church of Rome. The 22nd Article of Religion, as received by the Church of England, runs thus—

> "The Romish doctrine concerning purgatory, pardons, worshipping and adoration, as well of images as of reliques, and also invocation of Saints is a fond thing, vainly invented, and grounded upon no warranty of Scripture, but rather repugnant to the Word of God."

It is not possible that any terms should be more studiously void of offence. And the other Article, the 28th, is to this effect—

> "The Supper of the Lord is not only a sign of the love Christians ought to have among themselves one to another, but rather is a sacrament of our redemption by Christ's death, insomuch that to such as rightly, worthily, and with faith receive the same, the bread which we break is a partaking of the body of Christ, and likewise the cup of blessing is a partaking of the blood of Christ. Transubstantiation, or the change of the substance of bread and wine, in the Supper of the Lord, cannot be proved by Holy Writ, but is repugnant to the plain words of Scripture, overthroweth the nature of a sacrament, and hath given occasion to many superstitions. The body of Christ is given, taken, and eaten in the Supper only after a heavenly and spiritual manner. And the mean whereby the body of Christ is received and eaten in the Supper is Faith. The Sacrament of the Lord's Supper was not by Christ's ordinance reserved, carried about, lifted up, or worshipped."

If you study that article you will see that it is couched in terms, which are the least possible offensive, consistently with the utterance of an entire repudiation of the doctrine to which it refers. After giving the matter, therefore, the fullest consideration, and after having had the advice of Sir Hugh Cairns and Sir James Whiteside upon the point, I came to the conclusion that it would be impertinent on my part to suggest any other terms than those contained in some formula, issued by authority, such as are the Articles of Religion. It has been a rule of this Protestant country for 300 years to require from Protestants a declaration of their faith, and to accept them upon their own declaration as thereby qualified for high office. I wish to avoid the consequence that must follow the passing of this Bill as it stands. The object of the Bill is this:—that whereas some few high officers of State, who are still to be of the same religion as Her Majesty, have for 300 years been required to make the same declaration of faith as Her Majesty, thereby declaring themselves to be in religious communion with Her Majesty, that henceforth the Sovereign shall be isolated in declaring her adhesion to the Protestant faith. Pass this Bill, and no officer of the Crown or of the State will hereafter be required to make either the same or an equivalent declaration to that which is made by Her Majesty. Thus you deprive the Sovereign of the security that she has a few high officers of the State avowedly of the same religion as herself. Besides, let it be remembered that our Sovereign is a lady, and surely that ought to command for her some consideration on the part of this House. If it be wise to maintain the declaration by the Sovereign of adherence to the Protestant Faith, it is also wise to require some of the great officers of State to make the same or an equivalent declaration; it is wrong, it is inconsistent with every feeling of loyalty, to allow the Sovereign to be isolated in making a declaration of faith, which this House will, if it passes this Bill, have stigmatized as offensive. If the profession of Protestantism by these officers of State is condemned by this House, how long will it be before an assault is made upon the Act of Settlement itself? and that will be the next step. In these liberal days I know that large sections of the House think lightly of these matters. But I speak in the presence of many Members who remember the late Lord Lyndhurst, a man who was no less remarkable for the liberality of his opinions than for the clearness of his perception. His liberality, indeed, was undoubted; for he was the great promoter in the House of Peers of the measure for admitting the Jews to seats in Parliament, and when Attorney General he drew up the Roman Catholic Relief Bill; yet Lord Lyndhurst, in the last great speech that he ever made, declared that he could conceive no greater misfortune for his fellow-subjects than that the throne of this country should again be occupied by a Roman Catholic. Sir, it is in defence of that great principle—the principle that the Sovereign of this country shall be a Protestant, and therefore tolerant, and therefore of a religion and of a disposition consistent with the Constitutional freedom which has stood firm amongst us for centuries, whilst it has waxed and waned in Continental countries—it is in support of this great principle that, whilst asking the House to remove every just occasion of offence, I pray the House, by adopting my Amendment, not to allow Her Majesty to be isolated in declaring her adhesion to that Protestant Faith which, thank God, most of us in this House profess; would that many more defended it earnestly!

Amendment proposed,

In page 2, lines 4 and 5, to leave out all the words after the words "or right shall be," to the end of the Clause, and to insert the words, "held to apply to the Declaration set forth in the Second Schedule to this Act, which is hereby substituted for the Declaration set forth in the First Schedule to this Act, the obligation to take, make, and subscribe which last-mentioned Declaration is hereby repealed; and be it hereby declared and enacted, That the obligation to take, make, and subscribe the Declaration set forth in the Second Schedule to this Act, shall in all respects be the same as, and that the taking, making, and subscribing of the Declaration hereby substituted shall in all respects be held to be equivalent to the taking, making, and subscribing of the Declaration hereby repealed,"—(*Mr. Newdegate,*)

—instead thereof.

Sir COLMAN O'LOGHLEN said, that the object of the Bill was to abolish one of the most offensive declarations which the ingenuity of man could devise, and it was directed against some of the most sacred tenets held by Roman Catholics. The declaration was one which had to be taken by the Lord Lieutenant and by all the holders of offices for which Roman Catholics were ineligible. The Bill would not open any office to Roman Catholics which they could not hold now. It was supported last year by the right hon. Gentleman the Home Secretary, whom he regretted not to see in his place at that moment, and on the second reading was carried in that House by a majority of more than 2 to 1; it had been sent up to the other House, but at too late a period to be considered. On that occasion the noble Lord the chief of the present Government stated that he thought it could best be considered after the Oaths Commission, which was then sitting, had made its Report. No doubt the Amendment proposed by the hon. Member for North Warwickshire was less offensive; but it referred to the Thirty-nine Articles, which contained expressions in reference to Roman Catholic doctrines which were offensive, and it also contained for the first time a reference to purgatory. The Bill would not in the slightest degree interfere with the Coronation Oath. The declaration contained in the oath was worthy of consideration by the Commission. He thought it also ought to be abolished; but the present Bill only referred to declarations taken by Her Majesty's subjects.

Mr. NEWDEGATE said, that there was a disposition last year to reject the Bill because the Commissioners on Oaths had not then presented their Report, and as they had not yet reported, the reason for delaying the Bill still existed. It was true the Bill had gone up to the other House last Session, and had not been proceeded with; but he had good grounds for believing that it was the determination of the Government to have rejected it.

Sir JOHN GRAY said, that though the Commission referred to had not yet reported, a more important Report in reference to this question had been made. A Commission had been appointed to consider what declarations ought to be taken by holders of office, not being laymen, belonging to the Established Church. On that Commission were the Archbishop of Canterbury, the Archbishop of York, the Primate of the Established Church in Ireland, several of the then Ministry, the present Home Secretary, and some of the most prominent men, lay and clerical, connected with the Irish Established Church. That Commission unanimously reported that this very declaration which the present Bill proposed to abolish was one which ought to be abolished, and it had accordingly been abolished. The hon. Member now proposed to add another declaration which had reference to purgatary. Now, there was a homely saying in Ireland which would apply to the hon. Member, which was that, "if he did not like purgatory, he might go further and fare worse."

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 135; Noes 76: Majority 59.

Mr. WHALLEY protested against these continual concessions to the Roman Catholics.

Clause *agreed to.*

Clause 2 *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

CRIMINAL LAW BILL.

(*Mr. Russell Gurney, Mr. Coleridge.*)

[BILL 8.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. CHILDERS said, he must repeat his objection to the Bill, that it transferred to the Consolidated Fund certain charges in connection with criminal offences hitherto borne by individuals without any of the forms prescribed by the House having been gone through. That was a proceeding which was of an inconvenient character and formed a precedent which the House ought to resist. He hoped the House would require the examination of the charges by a Committee of the whole House, and would not admit that, in consequence of an arrangement between the promoters of the Bill and the occupants of the Treasury Bench, that they were bound to include these expenses in the Estimates, and vote them year by year.

MR. HUNT said, that the proceeding that was proposed by the Bill was in accordance with an arrangement suggested by Sir Robert Peel in 1846. He took it that they were doing nothing more than was done when the cost of prosecutions was first thrown on the means voted by Parliament, as was done by Sir Robert Peel in 1846. He gave great consideration to the suggestion of his hon. Friend, and though he was at first anxious to assent to such a clause, he had afterwards concluded that considerable difficulty would arise on the question of expense. He believed that if the Bill were passed into law, the expenses of prosecution would become considerably lessened; because under the present law there were often three or four witnesses summoned to one fact, and therefore the public would probably be materially benefited.

MR. GLADSTONE said, he thought there were reasons why they should not argue too rapidly from the precedent of 1846. The measure of that year was carried under circumstances of extraordinary pressure, and since that time a keener eye had been kept upon the public expenditure. He accepted the declaration of the hon. Member that the House would be as entirely free to consider the subject when the Vote for the expenses of criminal prosecutions was proposed as if the present Bill had not passed.

MR. HUNT said, that if the Bill were passed into law the expenses would be provided for in next year's Estimate.

THE ATTORNEY GENERAL FOR IRELAND (Mr. CHATTERTON) did not think that this Bill would decrease the cost of prosecutions.

Motion *agreed to.*

Bill read the third time, and *passed.*

FORTIFICATIONS (PROVISION FOR EXPENSES) BILL—[BILL 104.]

(*Sir John Pakington, Mr. Hunt.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1.

SIR MORTON PETO said, that great care and caution should be exercised in the prosecution of the works, and he believed the estimate he had formed as to the expense of the armament would be found to be correct. He had no doubt our interests would be well protected by the present Secretary at War.

MR. O'BEIRNE said, that experiments had proved iron fortifications to be most efficient for defensive purposes, while iron plates introduced into masonry formed a most imperfect defence.

SIR JOHN PAKINGTON explained that iron shields, which would be expensive, were not provided for by this Bill. It merely provided for the re-appropriation of money already granted. The subject of iron plating would, however, receive his most careful attention.

Clause *agreed to.*

Remaining clauses *agreed to.*

House *resumed.*

Bill *reported,* without Amendment; to be read the third time upon *Thursday.*

REPRESENTATION OF THE PEOPLE BILL.—AMENDMENTS.

MR. GLADSTONE said, that in order to prevent any confusion or misunderstanding which might arise as to the meaning of some of the Amendments he proposed to move upon the Reform Bill, which he found were not so clearly stated as he intended, he now proposed to insert in Clause 3, page 2, lines 3 and 4, after the words "and 2," the words "whether he in person or his landlord be rated to the relief of the poor."

GAME LAWS (SCOTLAND) BILL.

On Motion of Lord Elcho, Bill to amend the Laws relating to Game in Scotland, *ordered* to be brought in by Lord Elcho, Mr. Henry Baillie, and Sir Robert Anstruther.

Bill *presented,* and read the first time. [Bill 116.]

LABOURING CLASSES DWELLINGS ACTS (1866) AMENDMENT BILL.

On Motion of Mr. Hunt, Bill to amend "The Labouring Classes Dwellings Acts (1866)," *ordered* to be brought in by Mr. Hunt and Mr. Secretary Walpole.

Bill *presented,* and read the first time. [Bill 118.]

LIMERICK HARBOUR BILL.

Resolution [April 8] *reported;* Resolution *agreed to:*—Bill *ordered* to be brought in by Mr. Dodson, Lord Naas, and Mr. Hunt.

Bill *presented,* and read the first time. [Bill 117.]

House adjourned at half
after One o'clock.

HOUSE OF COMMONS,

Wednesday, April 10, 1867.

MINUTES.]—Public Bills—*Second Reading*—Mines, &c., Assessment [33]; Associations of Workmen [21], debate *adjourned.*

Referred to Select Committee—Mines, &c., Assessment.

Committee—Tests Abolition (Oxford) [16].

Report—Tests Abolition (Oxford) [16].

Considered as amended—Public Libraries (Scotland) Acts Amendment * [92].

MINES, &c., ASSESSMENT BILL.

(*Mr. Percy Wyndham, Mr. Cavendish Bentinck, Mr. Henderson.*)

[BILL 33.] SECOND READING.

Order for Second Reading read.

Mr. PERCY WYNDHAM, in moving that the Bill be now ead the second time, said, that since he had introduced the measure a great many petitions had been presented in its favour, and there was a very general desire that it should pass into law. The Bill proposed to assess to the local rates all mines and plantations in the same manner that coal mines were now rated. The Courts of Law having held that mines other than coal mines were not liable to be rated, a vast amount of mining property escaped assessment, though they were worked by shafts and drivings in a precisely similar manner. The annual value of mining property not subject to rates in 1853 was £4,744,000, and during the last eleven years the value had increased in a greater ratio than that of land, iron works, or fisheries, though in a less ratio than three other descriptions of property—namely, railways, quarries, and gas works. In 1864 the annual value of mining property had increased by £1,934,000 over the value in 1853. The exemption from rating enjoyed by mines other than coal mines tended to throw great burdens on persons neither directly nor indirectly interested in mining property. For instance, in Ulverstone the annual value of mining property that escaped rating was £50,000, and was all in the hands of rich proprietors. The mines which created the greatest burdens by the number of disabled miners they made, and the roads they cut up with their heavy traffic, were wholly exempt either from poor or highway rate. Thus in the parish of Alston, which in 1865 yielded lead to the value of £65,000, the mines paid nothing towards the poor rates, although out of 328 paupers 278 were from the mines, and only fifty-six were agricultural labourers. When he asked leave to introduce the Bill the President of the Poor Law Board said that many cases of a similar nature were about to be brought before the Superior Courts of Law, with a view to a reversal of former decisions in reference to the rating of mining property. But the judgments which had confirmed the exemption were very specific. In order to show what was the present state of the law, he would quote a passage from the work of the hon. and learned Member for Plymouth (Sir Robert Collier), in which it was stated—

> "The Statute 43rd of Elizabeth, chap. 2, sec. 1, in which poor rates originated, having declared all occupiers of 'coal mines,' among other things, rateable to the poor, it was early decided that the express mention of coal mines excluded all others, and such at present is the law. The only question that can arise now upon this is whether the workings for ore or other substances are or are not mines; for, if quarries only, they are rateable."

He therefore did not think that it was likely that the Judges would reverse former decisions, and shut their eyes to all the concurrent circumstances throwing light on the intention of the Legislature in passing that Act. In deciding a case in reference to a lead mine, Lord Mansfield said—

> "We have no ground, authority, or pretence for giving it that extensive construction, nor is there any foundation for imagining that the Legislature meant so. Nothing can be clearer than that these (lead) mines are not within the

letter of the statute, for the Legislature could never intend by the word 'coal mines' to comprehend other species of mines. If they had meant to include them they would either have enumerated them or used the general word 'mines.' So that the expression 'coal mines' expressly excludes mines of any other sort, as much as if they had been exempted."

In Cornwall, where the tin mines were unsuccessfully struggling against foreign competition the exemption from rating acted as a protection, inducing people in some cases to keep their capital in what would otherwise be unprofitable concerns; while in his (Mr. Percy Wyndham's) part of the country the exemption operated to relieve from assessment the richest portion of the community, and to throw the burden on the poorer portion. With respect to the mode of rating, if they looked to coal mines it would be found that it varied in different localities, being sometimes on the actual and sometimes on the estimated royalty, and in Staffordshire upon the acreage. There were complaints against this uncertainty; but he feared that if the agitation attempted to establish a uniform system neither lords nor occupiers would pay what they ought to do. Mines differed from lands in this—that whilst the land remained, in the case of mines the corpus of the estate gradually became extinct: but this fact, if used as an argument against rating mines, would not hold water. £12,000 worth of coal would have the same rate as £12,000 worth of land, as when it ceased to exist the rate could no longer be levied. It was upon this principle his Bill was based. The Bill contained a provision allowing, after the passing of the measure, the holders of existing leases, whereby a rent in money, royalty, toll, or due other than in kind was reserved, to deduct from the rent one-half of the rate which would become chargeable upon them; and another clause provided that where any lord or owner of a mine was assessed to local rates in respect of such mine, nothing in the present Bill should be held to disturb such assessment during the continuance of existing setts. With regard to woods and plantations, there was some doubt as to the state of the law in reference to their liability to be rated; but he believed that it was generally held that saleable underwoods were rateable, though it seemed that a great variety of practice existed in this respect. When he drew up the clause providing that woods and plantations should be liable to be rated upon the rateable value of the land on which they were grown, he was not aware how the Scotch Act upon the same subject was worded; but he had since ascertained that it was provided by that Act that where lands and heritages consisted of woods, copse, or underwood, the yearly value of the same was to be taken to be the rent at which they might in their natural state be reasonably expected to let from year to year as pasture or grazing lands. It was objected against the Bill that it only applied to mines and woods, whereas there were other descriptions of property which was not rated and which ought not to escape assessment, and there were petitions before the House praying every species of unrated property—including game preserves and shootings—should be made liable to rates. He did not, however, see why the Bill should be objected to on that ground. It was impossible to pass a comprehensive measure at once; and it should be remembered that in proportion as the number of exemptions was diminished the stronger would become the argument against the continuance of other exemptions, and, whatever might be the defects of the Bill, they were as nothing compared with the anomalies and inconsistencies of the present system.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Percy Wyndham.*)

LORD GEORGE CAVENDISH, in rising to move an Amendment that the Bill be referred to a Select Comitteee, said, he could assure the hon. Member that he was not actuated by any hostility to the principle of the Bill; but he regarded the details as so complicated that it would be impossible to deal with them satisfactorily in a Committee of the whole House. The most conflicting opinions prevailed as to the principles on which mines should be rated. He was connected with the mineral district in the High Peak of Derbyshire. The mines there had been worked from time immemorial, and the customs dated as far back as the time of Edward III. By these customs every subject of the Crown was permitted to dig and delve for minerals. The minerals belonged to the Duchy of Lancaster; but they had been leased to lords, who received a royalty nominally of one-thirteenth, but actually in most instances of one-twentieth. On these royalties they had paid rates for very many years. The system worked harmoniously, but if it were meddled with great dissatisfaction and litigation would be occasioned. There was evidence to show that if they attempted to rate the mine or throw the rate on the occupier they would at once shut up a great portion of the mines, nineteen-twentieths of which were held by poor men. A question had been started as to the getting of ores. There was an old saying—"There is ore of all kinds, but," alluding to the difficulty of getting it, "not for all men." It had been suggested by one witness examined before the Committee that the royalty should be taken as the principle on which mines should be assessed; but the whole question was one of such complicated detail that it would be impossible to deal with it satisfactorily in a Committee of the whole House. Therefore, in the most friendly spirit to the principle of the Bill, his recommendation would be that it be referred to a Select Committee.

Mr. KENDALL quite agreed that all mines should be rated; but he did not think it would be possible to apply this Bill to mines in the West of England. The Bill declared that mines and minerals in England and Wales should be liable to local rates in the same manner and to the same extent as coal mines are liable to local rates; but on what principle were coal mines rated? He never could learn. In some places they were rated on the ton, in others on the profits; but the yield and the profits differed largely. The Bill was totally inapplicable to Cornish mines. In the rich district of Redruth there were only two or three mines paying a profit. How were such mines to be assessed? In one mine £400,000 had been expended, and the whole money was lost. In another instance £90,000 had been expended without the return of a single shilling. If there was no realized profits how could they assess them? At present mining property was in a most depressed state. There was great danger of driving capital away from Cornwall, owing to the large imports of tin from Chile, America, and Australia, and perhaps also to the monetary panic. He did not mean to say that mines should not be assessed to the relief of the poor; but the question was, who should be assessed? They must virtually assess the proprietor of the soil. If any profit was received he was sure to get it, and therefore he was the proper party to be assessed. This was undoubtedly a very difficult question, and regard must be had to many different localities. He should be very glad to see plantations assessed. The best thing that could be done was to refer this Bill to a Select Committee, as the noble Lord proposed.

Mr. COLVILE said, this proposition was not a new one. It was exactly fifty years since the first Bill for the rating of mines was laid on the table. The Legislature at that time appeared to be excessively keen on the subject, for the years 1817, 1818, and 1819 produced Bills for this purpose; but, like the material with which they proposed to deal, these Bills met with a "down-set." However, some twelve years afterwards the question again "cropped" up, and Bills were produced in 1856 and 1857. Since that period the subject has been allowed to rest until it was now brought forward by the hon. Member for West Cumberland (Mr. Percy Wyndham). The only novelty in this Bill was the proposition to rate mines on the same principle as coal mines. Now, he should very much have liked that the hon. Mover had explained a little more fully on what principle coal mines were rated. No one could very well tell on what principle coal mines were rated. The principle, to borrow a popular phrase, was one "that no fellah can understand." The hon. Member said, they must be rated on their net annual value; but how was that possible? A mine was worth thousands a year one day, and next day nothing at all. Unless they had, as in Scotland, an annual valuation it would be impossible to carry out that principle. He did not wish to shrink from the responsibility of having mines rated; he did not know why any hereditament should be exempted from local taxation; but he strongly objected to the mode of carrying out that object as proposed by this Bill. It was impossible to attempt to rate little mining undertakings worked by two or three men. The Small Tenements Act would have to be extended to mines, and compounding lords established. The only principle he could assent to was to rate the lords on their dues, as was now practised in Derbyshire; but the subject was much too wide to be considered by the House. The range of the inquiry should be extended. The hon. Member had taken one leaf from the Scotch Lands Valuation Act, and proposed to rate woods; he would take another, and move that game, let at a rental, should be included, and the Bill referred to a Select Committee.

If that was not agreed to he hoped the Bill would be placed on that shelf which had received so many of its predecessors.

Mr. BEACH hoped, if this Bill were referred to a Select Committee, they would be able to arrive at a more satisfactory conclusion than the last Committee, which had only been enabled at the conclusion of their investigation to suggest their own re-appointment. Coal mines were at present the only mines which came under the statute of the 43rd of Elizabeth; but that was no valid reason why other mines should be exempted if any satisfactory mode of assessment could be arrived at. When it was considered that a farmer was assessed on his rent, and had to pay whether he made any profit or not, he did not see why there should be any arbitrary exemption of mines because they did not happen to pay. As to assessing plantations and woods, it would be impossible to assess them on the rateable value of the land on which the trees were grown. To do so would be contrary to the principle of parochial assessment, which was made upon reasonable value from year to year. Considering the deterioration in land, that property which had not game upon it paid in a higher ratio than that which possessed game; but seeing the fluctuating value of it, it would be difficult to establish an uniform rate, as had been suggested by some. He trusted that the Select Committee might be allowed to include the question of game preserves and shootings within the scope of their inquiries.

Mr. HENDERSON said, the anomalies that existed in reference to the rating of mines were very extraordinary. When mines were worked from the quarries in open drifts they were subject to local taxation; but as soon as the mineworker extended his operations and made a shaft they became exempt. Again, according to the old system of letting, when the rate was paid in kind there was local taxation; but when it became a money charge the liability disappeared; and, however large the "put out" might be, they did not pay a farthing to the local burdens. The evil was chiefly felt in those districts where the ironstone was the chief source of the wealth of the country. The district about Cleveland, in Yorkshire, was a few years ago entirely of an agricultural character, but by the wand, as it were, of the enchanter, immense quantities of ironstone were found and an enormous population was collected; but the ironstone did not pay a single farthing to the local burdens which were thrown upon places in the immediate neighbourhood. But coal mines, which required so much more capital, and incurred so much more risk in working them, were assessed. Why should the present anomalous exemptions be retained? While he admitted that all minerals should be assessed, he could not agree that they should be rated on the same footing with real property, land or houses. They had all heard of such dreadful explosions as took place at the Oaks and the Hartley Collieries. In the former case, the entire capital invested in the mine was annihilated in a moment, and the colliery could only be restored by the expenditure of new capital to a large amount. In the latter case, the capital expended, which exceeded £100,000, was almost entirely rendered worthless. And there were cases of collieries upon which £300,000 or £400,000 had been expended that had never paid a farthing dividend. It was plain, therefore, that this class of property could not be dealt with in the same way as lands and houses. The whole subject was surrounded with difficulties which the House itself could not well deal with; in his opinion the only satisfactory way of solving this question was to refer it to a Select Committee.

Mr. GATHORNE HARDY said, that it seemed from the discussion that every hon. Member admitted the anomalies that existed in the law of rating. These anomalies were by no means confined to mines; and indeed if the whole question were considered there would be raised many more important issues than those which had reference to mining property and plantations. He could agree that, in reference to rating, coal mines were distinct from all other mines; because no man when he commenced sinking a shaft knew whether he should find coal or not. It was within his experience that many persons in seeking for coal went very deep into the earth without finding it. This reminded him of the story of a landowner in the North who had spent a great deal of time and money in boring on his property, and passing a farmyard he heard a loud noise proceeding from the pigs. He asked the cause of the uproar, and was told they were "ringing" the pigs to prevent them boring; on which he exclaimed, "I wish my father had done the same to me when I was young." There were, undoubtedly, many anomalies in the present system. Two individuals might be working on different sides of a hill; the one in open quarry, he paid enormous rates; the other underground, and he paid no rates at all. In the county of Cornwall the parish of St. Just was rated at £13,000, and at one time there were in that parish six mines which were rated because the owners of the land had reserved a royalty, and which paid upon an assessment of £2,828. They found, however, that if they took their rent in money the mines would be free from rates; they therefore made this change, and all their property was immediately freed from contributions to the poor rate, except so much of it as belonged to one person who thought it a duty to be rated. The hon. Member for West Cumberland (Mr. Percy Wyndham) had said that his predecessor the right hon. Member for Wolverhampton (Mr. Villiers) intimated last year that the question of the rateability of metallic mines was to come before a Court of Law again. But since then the decision of the House of Lords in the case of the Mersey Docks had caused a different view to be taken of the matter—that decision had, indeed, raised questions that were believed to have been set at rest many years ago. Now, however, this particular question was about to be raised upon a special case, and if the Court of Queen's Bench should not decide in favour of the parish it was intended to take the matter into a Court of Error, in order to see whether the House of Lords' decision had varied the law or established a new law upon this matter. The case was that of "Crawshay *v.* Morgan and Another." The defendants were overseers of a parish in Gloucestershire, and they proposed to assess Mr. Crawshay for an iron mine upon a rating of £2,483. It seemed to him (Mr. G. Hardy) very desirable that they should get out of this difficulty, if possible, through the Law Courts: but, in the meantime, he thought that the Committee would be very well occupied in inquiring into the question as to mines, woodlands, and plantations: and he would suggest that as this Bill was confined to mines, woodlands, and plantations, the noble Lord the Member for North Derbyshire (Lord George Cavendish) should defer his Motion until the time came for going into Committee; and that, in the meantime, Instructions should be framed to refer to the Committee other questions which were equally important to those which were dealt with in the Bill. Some of the exemptions which had arisen under the Mersey Docks case were peculiarly unfair. That decision had rendered pure charities liable to be rated; and yet there were exemptions in favour of scientific and literary institutions which, although they did good, were not established for the benefit of the poor. He thought it was unnecessary that the debate should be further proceeded with then, because it was embracing within it details which could not be properly discussed on this Bill; and he would propose that the Bill should be read a second time, and that the Committee should be fixed for after Easter, so as to give time to any hon. Member to frame an Instruction to the Committee in order that the inquiry should not be limited to mines, woodlands, and plantations as it now would be from the title of the Bill. He thought that in this way they would advance the objects they had in view, so as to get at a solution of the very difficult question of exemptions. He believed that if the various kinds of property which had been referred to were rated, the Courts of Law would find principles upon which to rate them, as they had done in reference to railways and other property of a difficult kind.

Mr. PEASE agreed in the propriety of referring the subject to a Select Committee; but he hoped any Committee that might be appointed would carefully consider the question of the immense risk which was run by the adventurers, and also have regard to the fact that from 80 to 90 per cent of the whole value of the minerals represented pure labour. He trusted the Committee would be able to take a comprehensive view of the whole subject.

Mr. BARROW held that the principle of the law of rating was that the occupier of the land—the person who employed the labour that produced the pauperism—should pay the rates which was the provision for the incapacitated pauper. But this Bill contained strange infringements of that principle. It provided that metalliferous mines should be rated upon the same principle as coal mines; but though coal mines had been rateable since the 43rd Elizabeth the principle of rating them was not yet settled. He took it that the worker of the mine should be the person rated, as he was the employer of the labour that produced the pauper; but this Bill proposed that the owner of the land should pay one moiety of the rate; and on this he should like to ask what was the value of the mineral when brought to the surface as compared with the royalty paid for raising it? He agreed that the person who took the royalty should contribute; but to compel him to contribute one-half was inconsistent with all principle. Many leases of metalliferous mines contained clauses that the person who worked the mines should pay all rates; and it would not be right, in his opinion, to interfere with these private arrangements. The Bill could not possibly pass in the shape in which it was at present; and therefore he thought that the whole question should be referred to a Select Committee, and that the Bill should stand over in the meantime.

Mr. WYLD thought it impossible that this Bill would work in the county of Cornwall. There was great difference between coal and metalliferous mines. They knew with probable certainty where coal was to be found, and when the right hon. Gentleman (Mr. G. Hardy) said that this was not so, he referred to former times; but now the state of scientific knowledge was such that there were very few attempts to procure coal which were not successful. On the other hand, sometimes many thousands of pounds were spent in searching for metals without success. This was well known, and therefore the Legislature had very properly made a distinction between the two cases in regard to rating. It was only fair that those lords who were deriving large sums from mines should be taxed for the support of the poor of the neighbourhood; but it was a very different matter to tax those who were spending large sums of money for an uncertain profit, and who were really the benefactors of a district. The effect of this Bill would be to shut up a number of mines in Cornwall, and to throw many people out of employment.

Mr. BAGNALL, referring to evidence taken before a Committee, said, that it disclosed such a total absence of principle in reference to rating that the system could be best described as rating by rule of thumb. He hoped the Bill would be allowed to go to a Select Committee, where the details could be properly considered, and though the measure was retrograde as compared with the measure of last year, some simple and satisfactory principle of assessment might result from it.

Mr. JACKSON thought that this discussion could end in nothing but the matter going to a Select Committee; and that it would be well that it should be discontinued until after the Committee had made its Report.

Mr. Barrow

Mr. HENLEY said, that the House seemed generally agreed that it was desirable that the question of mines should be considered, with the view to bring them under charge to the poor rate; and he had nothing to say against this. The President of the Poor Law Board had told them with great truth that the decision in the Mersey Docks case had rendered property not beneficially occupied liable to be rated to the poor. It seemed plain that this Bill would go to a Select Committee, and it was equally clear that other matters not mentioned in the Bill should also go to the Committee. He thought that the Instruction to the Committee ought to be as wide as possible, for otherwise justice would not be done. It was not many years since, on account of some supposed difficulty in rating particular species of property, the House exempted it; but it seemed now to be quite clear that with our improved knowledge and skill means could be found to rate every kind of property. Why was not stock-in-trade to be rated? Personal property of that kind was liable under the old law of Elizabeth, and it only ceased to be rated in consequence of the supposed difficulty in rating it. But if this Committee was going to solve all the difficulties about things underground, he did not see why they should not also try their hands at solving the difficulties in reference to things above ground; and therefore he hoped that the reference to the Committee would be as wide as possible, and include things in the earth, under the earth, and above the earth, so that they might obtain the means of taxing property according to the annual interest derived from it. When it was proposed to tax so uncertain a property as game there could be no difficulty in taxing stock-in-trade; and it might be a question whether persons should not be rated under the Scotch term of "means and subsistence." At all events, the Committee should consider it if the reference were wide enough.

Mr. WHALLEY regarded this as an attempt to revive an inquiry into a matter which had been settled over and over again. As far as this Bill was concerned there was nothing to be referred to a Select Committee that had not been long ago decided upon. The law authorizing the exemption of the mines in question from rating had been settled three centuries ago and was based on a wise principle, the object of the exemption being to hold out an inducement to persons to develop the mineral resources of the country, and it had proved satisfactory in operation.

Mr. READ said, that the Select Committee, if appointed to inquire into the question, ought to be instructed to inquire into all exemptions, and that its investigations should be extended to the subject of game and the inequality of the law respecting it. If the owner of an estate kept the game in his own hands, or let it to another party, it was not rateable; but if he let it to a tenant occupying the land it was rateable. He thought it was quite impossible to rate game upon any equitable system, as it was a thing that might be here to-day and gone to-morrow. But in cases where land was so overstocked with game as to depreciate its rateable value he thought that, notwithstanding the abundance of game on it, the land ought to be rated at its agricultural value. That was the effect of an Amendment of which he had given notice.

Mr. COWEN said, that the more the question was discussed the more would the House be convinced of the propriety of referring it to a Select Committee, with an Instruction somewhat similar to that suggested by the President of the Poor Law Board.

Mr. BENTINCK, in supporting the Bill, said, he desired to remind the House that one of the great grievances existing in relation to the question was this: that while coal mines, which were worked to a great extent (sometimes the workings ran several miles under the sea) and were formed at a great expense, and employed a vast quantity of labour, and sometimes returned little or no profit, were subject to a rating—whilst the coal owners were taxed in every direction—iron and other minerals were exempted. It appeared to him that such a system was opposed to the principles of common sense. He was acquainted with the case of a slate quarry in Wales which was at one side worked upon the open ground and at the other worked under ground, and where the open ground part was assessed whilst the underground part escaped liability. That was an anomalous state of things which ought not to be allowed to exist. He was not surprised at the unanimity of opinion in favour of the principle of this Bill, and of the measure itself being referred to a Select Committee. That was the best mode of dealing with the matter, inasmuch as it could be thoroughly investigated by that tribunal; all the evidence respecting it could be heard, and the whole question could be considered in the most satisfactory manner. Although it might be said that this question had been before Committees some years ago, it should be recollected that the aspects of the mining interest had very much changed since then. For example, there was a discovery recently made of hæmatite iron upon the west coast of Cumberland by which fortunes were being made, yet while the coal mines were assessed, the iron mines escaped. He was much afraid, if the suggestion of the hon. Member for Norfolk (Mr. Read) that the question of game should form part of the inquiry of the Select Committee were adopted, that the Bill would never come out of the hands of the Committee in time to pass into a law. He should advise his hon. Friend who had charge of the Bill to take counsel before he acted upon the advice thus offered him, and to consider what would be the best plan to adopt with a view of having the measure passed this Session.

Mr. LIDDELL remarked, that under the powers of the Union Assessment Act very satisfactory progress had been made in revising those assessments, and the experience of the ablest men had been brought to bear upon the subject. A large number of fresh valuations had been recently made, and twenty, thirty, or forty coal mines had been rated to the satisfaction not only of the parochial authorities, but also of the ratepayers. He thought that they ought to avail themselves in the proposed inquiry of the experience gained in those new valuations. He had ventured to predict that the moment they passed the law extending the area of chargeability from the parish to the union a large amount of hostility would arise in quarters from which it was least expected. It appeared to him that now that places were called upon to maintain poor from whose labour they had derived no benefit, the House was bound to consider the whole question of the law of rating, and the spirit of the Act of Elizabeth, which evidently contemplated the assessment of all property for the relief of the poor. He hoped that the advice of the right hon. Gentleman the President of the Poor Law Board would be followed, and that this Committee would not be confined in its inquiries to the mere question of certain classes of mines.

Mr. HUBBARD said, he had never

heard any argument in favour of those exemptions except such as obviously answered itself. When it was urged that the Act of Elizabeth did not mention mines in respect to rating, he would remind those who relied upon such an argument that neither did the Act of Elizabeth mention railways or telegraphic communications. He was of opinion that the reference of the question to a Select Committee could not but result in the great improvement of our assessment system.

Mr. PERCY WYNDHAM assented to the proposition as to the question being referred to a Select Committee.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

And, on May 1, Select Committee *nominated* as follows:—Lord George Cavendish, Mr. Villiers, Mr. Percy Wyndham, Mr. Sclater-Booth, Mr. Knatchbull-Hugessen, Mr. Henderson, Mr. Kendall, Mr. St. Aubyn, Mr. Colvile, Mr. Read, Mr. Liddell, Lord Eustace Cecil, Mr. Leeman, Mr. Beach, and Mr. Kekewich:—Power to send for persons, papers, and records; Five to be the quorum.

TESTS ABOLITION (OXFORD) BILL.

(*Mr. Coleridge, Mr. Grant Duff.*)

[BILL 16.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. FAWCETT said, he rose to move,

"That it be an Instruction to the Committee that they have power to extend the provisions of the Bill to the University of Cambridge."

It was scarcely necessary for him to occupy the House by any observations in support of the proposition. He would not enter into a discussion of the principle involved, because it appeared to him that it had been fully discussed upon the second reading of the Bill; but what he wished to submit to the House was this—if the measure be considered by Parliament a desirable one to enact, there was no reason whatever why its principle should not be extended to the University of Cambridge. There was precisely the same feeling in the University of Cambridge in favour of the abolition of these tests as there was in the University of Oxford. If therefore the Bill were passed without including the University of Cambridge in its provisions, that University would immediately come to that House for the purpose of demanding a similar measure for itself; and thus considerable time would be wasted, for the discussion on the one Bill must necessarily be repeated on the other. The same principle and precisely the same questions were involved as regarded the University of Cambridge as were involved in the discussions relating to the University of Oxford. It might, however, be urged that the University of Cambridge was not in the same position as Oxford as regarded these tests. At Oxford a man who was not a member of the Church of England was allowed to take the degree of "B.A.," but not that of "M.A." In Cambridge, however, a kind of compromise had been come to, by which such a person was allowed to take a barren "M.A." which did not carry with it the privileges which attached to an "M.A." degree in the case of Churchmen. He believed that this so-called Cambridge compromise gave very little satisfaction, and that there was the same necessity for the abolition of tests in the University of Cambridge as there was at Oxford.

Motion made, and Question proposed,

"That it be an Instruction to the Committee, that they have power to extend the provisions of the Bill to the University of Cambridge."—(*Mr. Fawcett.*)

Mr. SELWYN said, it was somewhat inconvenient to be called on to discuss a question relative to the University of Cambridge upon the consideration of a Bill which in its title, its principle, and in all its clauses related exclusively to the University of Oxford. But as most things had their bright side as well as their contrary aspect, he thought that the unusual course now taken by the hon. Member for Brighton (Mr. Fawcett) had still this advantage—that it would free them from all doubts and obscurities respecting the real objects of the promoters of the Bill. The actual question now at issue was this—whether, in an institution, of which it was admitted that distinctive religious teaching formed an essential part, there should be admitted into the governing body persons of different religious persuasions. When the second reading of the Bill was moved by his hon. Friend it was suggested by the Member for Oxford University that, with a view to a compromise, certain clauses should be introduced into the Bill which would have placed Oxford in the same position as Cambridge, and the second reading, therefore, passed without discussion. But as by the present Resolution it was sought to apply the Bill to the University of Cambridge, he asked the House to negative the proposition which was in substance one for admitting Dissenters to the governing body of that University. The hon. Member for Brighton said that if the present Bill was made applicable to Oxford only, Cambridge would come forward and ask for a similar measure; but he (Mr. Selwyn) had to inform the House, that in a full meeting of the Senate, numbering 250 persons, and in which there was a division on another subject, a petition was unanimously adopted objecting to the extension of this Bill to Cambridge. That petition stated that a very short time had elapsed since the government and religious condition of the University had been carefully considered and revised by a Royal Commission, acting under the authority of the Act of 1856; but that Act, although allowing persons who were not members of the Church to avail themselves of an University education, had specially provided that they shall not become members of the Senate. The University of Cambridge had fully acted up to what was required of it by that Act; Dissenters had been admitted to all the educational advantages of the University, irrespective of religious creeds—the colleges, halls, the scholarships, had been thrown freely open to Nonconformists. The University had not only admitted Roman Catholics and Dissenters to University honours, but they had gone beyond the pale of Christianity, and had received Jews. With regard to the local examinations, they had given certificates of qualification to ladies, which, in the view of the hon. Gentleman the Member for Westminster (Mr. Stuart Mill), might render those "persons" more fitted to sustain that benefit and position which the hon. Gentleman proposed to confer on them in the shape of the elective franchise. The same principle of unity of religious opinion in the governing bodies had been accepted by Parliament in the case of the endowed schools, for which by the Act of 1860 provision was made for admitting to the schools the children of parents not in communion with the Church of England; it was provided that Dissenters should not interfere with the governing body of these schools; and, although attempts were made in 1860 and 1861 to upset that settlement, they were so signally defeated that they had not been renewed. He might also appeal to the universal practice of Roman Catholic and Dissenting communities to preserve the unity of belief in the governing body wherever distinctive religious teaching is an essential part of the institution. It remained to consider what grievances there were that should induce the House to depart, in the case of our Universities, from principles which had been so deliberately established and so long acted on? The principal grievance stated by the hon. Gentleman the Member for Brighton (Mr. Fawcett) was that at Oxford persons who were allowed to take the B.A. were not allowed to take the M.A. degree; but that did not apply to Cambridge, because at the latter University, Dissenters might take the M.A.; and Oxford had repeatedly offered to make such a change in that respect, and also with respect to tests, as would put Oxford on a footing with Cambridge. Another alleged grievance was the tests. Now in Oxford, tests were still required on taking the M.A. degree; but at Cambridge they were not required, and members of the governing body were only asked to make the simple declaration that they were members of the Church of England. The hon. and learned Gentleman the Member for Exeter (Mr. Coleridge) had adopted a statement of the hon. Member for Bradford (Mr. W. E. Forster) that humiliating distinctions were imposed on the sons of Dissenters; but how could that be maintained when at both Universities Dissenters were allowed to go through the whole academic course, and were admitted to every scholarship and to all the honours of the University examinations without any reference to religious differences. It was not until long after they had taken their B.A. degree and left the University that any distinction arose, and then when they returned at the end of three years they were not allowed to become members of the governing body unless they declared that they were members of the Church of England. Now surely there was nothing humiliating in that, and that grievance had no real existence whatever. The arguments attempted to be drawn from the fact that these Universities were lay corporations was effectually disposed of last year, and as it was dead and buried, he had no wish to revive it. But another point was now constantly harped on, and was the battle-horse of his hon. and learned Friend—namely, that these Universities were national institutions. But a few moments' consideration would show that there was no more substance in that argument than there was in the one lastly alluded to. No doubt they were national institutions in the same sense that the Church of England was a national institution, founded for the benefit of all the subjects of the realm, and in the sense that Parliament might in case of necessity step in and regulate them and control them; but if by national institutions was meant national institutions without reference to their original foundation and the purpose for which they existed, and that Parliament was at liberty, when no difficulty or danger called for interference, to alter the intentions and divert the purposes of the foundations, he denied that they were so. If everything national was to be dealt with at any time without reference to its original purpose and constitution, and the usages by which it was governed, to what extent would they carry it? If a gallery of pictures—the Turner Gallery, for example—were bequeathed to the nation on certain trusts, it became a national institution for the benefit of all; but would any one say that, because it was a national institution, it was competent to the Government or that House to disregard the conditions of the trust, sell the pictures, and apply the money towards the construction of iron-clads. The oft-repeated statement, therefore, that these Universities were national institutions, did not advance the case one step further. Another line of argument was that a considerable portion of the endowments of the Universities were given before the Reformation, and when the Church of England was in union with the Church of Rome; but his hon. and learned friend the Member for Exeter (Mr. Coleridge) was too much of a scholar and a lawyer to rest anything on such an argument, because if three centuries of possession and numerous Acts of Parliament were not sufficient to secure a title he did not know what was. The natural result of such an argument was simply that the property, not only of the Universities, but also of the Church of England and of a large number of individuals in this country ought to be handed over to the Church of Rome. Besides this, and since the Reformation, the Universities had been enriched by many benefactions, which had been given solely on the ground that the Universities were Church of England institutions. In addition to that, could it be said that because the Universities had been so liberal as to extend the benefits originally intended for one class to all classes and creeds, they were now to be placed in a worse position than if they had confined the Universities strictly to their original purposes? He would again appeal to the practice of the Dissenting communities, and would ask hon. Members who were interested in their endowments to consider what would be the effect of one of the arguments used in favour of this Bill upon Nonconformists as well as upon the members of the Established Church—namely, the argument that because so large a portion of the population had severed from the Church of England the members of the governing body should no longer be exclusively members of that Church. The Dissenting communities would not adopt that principle in their own case; for, as he ventured to remind the House, it was contrary to what they had repeatedly contended for in our Courts of Justice. Our law books were full of cases in which Baptists, Presbyterians, and other bodies who had been the subject of such dissensions, had successfully established the principle that persons choosing to leave their communion forfeited the right they before possessed of being members of the governing body. Were they, then, to apply a different rule to the Universities? and if so, must it not also apply to the different Dissenting communities? Lord Brougham was of that opinion with regard to pecuniary endowments; and the same principle applied with greater force to the powers of the governing body, and if they had no right to enjoy any portion of a pecuniary endowment under such circumstances, much less ought they to have any control over the whole of the institution. If, however, that principle was established in these days of toleration, they must have in the Senate and the Convocation representatives of all the varying shades of opinions, and he need hardly ask hon. Members what the effect of that must necessarily be. The effect would be either to destroy the religious teaching of those Universities or make the Senate House and Convocation the arena of religious controversy. The experiment had been repeatedly tried in America, Ireland, England, and other countries, but it had failed. It was also said that the few who would be admitted to the governing body would be a small minority, and that no practical injury would result to the Universities; but a small minority had many ways of making itself felt, such as by watching the opportunity, when two parties were equally balanced, of swaying the decision. They would also be able to raise such constant discussion on any given subject so that for the sake of peace almost anything would be yielded to obtain that repose which was so desirable, and which might not otherwise be obtained. Those controversies had hitherto been avoided with great advantage to the Universities, and he was surprised that his hon. and learned Friend should advocate their introduction into such a place. He would rest the opposition to the Bill on the firm and deliberate decisions of Parliament, on the practice of the Universities and of the Dissenting communities, and on the fact that the proposed alteration in the constitution of the Universities was not founded on any real or substantial grievance.

MR. NEATE said, that the only question was whether they ought to have separate legislation for Cambridge and Oxford. In his opinion, whatever might be the disadvantages or advantages attending the measure, both the Universities ought to be placed in the same position. He appealed to Members of the University opposite whether they would insist upon Oxford University being isolated solely on account of its connection with the Church of England.

MR. GLADSTONE said, he desired to explain the vote he was about to give in favour of the Instruction. He acknowledged that his position was one of some difficulty and peculiarity on this subject. Whilst he thought that considerable changes might be made in the Universities as to the admission of Dissenters and on matters of endowment, he could not question that securities should be taken to preserve the present system of religious education, which was obtained both at Oxford and Cambridge. There was another principle that he held by very strongly —namely, that this was a question that should not be dealt with by partial legislation. These objects can be obtained only by some general compromise, and no such compromise has yet been suggested likely to meet the approval of the House. Then he thought that it was impossible to draw any broad line of distinction between the Universities and the colleges; that the religious questions arising out of their constitutions should be considered as a whole, and that the two Universities should be dealt with in common. So that, although he could not support the Bill of his hon. and learned Friend, the Instruction moved by the hon. Member for Brighton declared a principle which he was well able to indorse. He had the greatest possible objection to varieties of legislation in matters of this kind, which should be dealt with upon principles common to the whole country. It was easy to understand how it was that the Universities were not now on the same footing. When the Oxford University Bill was introduced into Parliament it contained no provisions whatever relating to religious disabilities; and the House inserted certain provisions of that nature against the will of the Administration. When, two years afterwards, the University of Cambridge came to be dealt with by a general Act, the opinion of Parliament had still further advanced; and more extended provisions than those in the Oxford Bill were introduced in the Bill for Cambridge. Hence the present variation, which he did not think should be maintained, much less extended. Whatever were the claims of the Dissenters, they were the same on the one University as on the other; and he did not despair of seeing the time when, by some abatement of extreme views, both the colleges and the Universities might be dealt with by a comprehensive measure.

MR. BERESFORD HOPE was glad the Instruction had been moved, so far as it simplified the question. The Bill was now proposed as one which should deal with both the Universities, and he therefore opposed that Instruction as a Cambridge man. He was quite willing—nay, anxious—to see Oxford placed on the same footing as that which Cambridge occupied at present, and not only so, but he would not refuse the Parliamentary franchise to the graduates of either University, but that was not what the Instruction of the hon. Member for Brighton asked for. The Instruction called on the House to place Cambridge by anticipation on a less desirable footing, the footing of the future Oxford, the nature of which was to be decided on hereafter, and that he objected to. He had already protested on a former evening against the process of dry nursing the Universities; and he was afraid he could not now acquit his hon. and learned Friend the Member for Exeter of having put on the mob-cap and attempted to dandle the infant. With reference to the whole question, he regarded the grievance of the Dissenters, for the most part, as a sentimental one. Nonconformists, it was said, were placed in a humiliating position; but to what extent was this charge true? The Nonconformist undergraduate was treated the same as his fellows in respect to degrees; the social life of the University was the same for all. He himself had the honour of being the friend and contemporary at Trinity College, Cambridge, under the old exclusive system, of the noble Lord the Member for Arundel (Lord E. Howard), and of the hon. Member for Hythe (Baron M. Rothschild), and since that time the Oxford and Cambridge University Reform Bills had been passed. That Nonconformists should be able to reach all the honours and distinguished positions to which a man of intellect was able to attain in the course of his educational career was surely not a condition of humiliation. It was well that the degrees were open to Nonconformists, but it was not well that the concessions now asked for should be made; indeed, it was impossible to grant them without undermining the basis of the collegiate system. In this was to be found the fallacy of the arguments of his hon. and learned Friend every time he spoke upon the subject, and argued that he would throw open the University and keep the Colleges closed up. Without a revolution and upsetting the whole existing system, they could not separate the Universities from the Colleges. They could not deal with one without affecting the other, and they could not throw open the government in the University to Dissenters without giving them a share in the fellowships of the Colleges. He did not, of course, deny the greater antiquity and independent origin of the University. But in the course of centuries the University and the Colleges had interpenetrated until it was impossible to disentangle the complication. He admitted that, in a certain sense, the Universities were lay corporations and national institutions; but they were pre-eminently the seminaries for the education of the clergy, so educated in company with the *elite* of the lay members of the Established Church. Did they desire to sacrifice this peculiar advantage? They must recollect that one distinguishing characteristic of the English clergy was their social position—that they were on a level in education with the laity, moved socially among them, and had an influence as intelligent leaders of public opinion that was not enjoyed by the clergy of any other Christian community. The clergy of the Church of Rome separated from their childhood for that profession, and refused social ties, were educated together in ecclesiastical seminaries; the ministers, on the other hand, of Protestant communities abroad were not conceded equal social equality with the gentry and nobility of the land. The happy and exceptional position of the clergy of the Church of England was, he believed, in great measure due to the fact of those Universities and Colleges in which they received their education being, at the same time, the place of the highest secular instruction. Was the House, he asked, prepared to abandon this tried advantage for an uncertain good? Were they prepared to make the clergy of the Church of England mere seminarists; or would they attempt the other solution and produce a happy family, by maintaining a national religious establishment in connection with the Universities, but forbidding it to possess any distinctive creed till it became what the noble Lord the Member for Nottingham had suggested in the *Fortnightly Review*—that an established Church ought to be—a body which would include the unbeliever as well as the believer of the creed, and in which the clergyman need no more be assumed to believe in the prayers which he read than the town crier is assumed to do in the truth of the announcements to which he gives currency. The hon. and learned Gentleman pressed them with the demand, why were they afraid of those small results which, as he contended, would alone flow from the Bill? He asked over and over again, was it worth while to oppose so harmless a proposal so strongly? But he (Mr. Beresford Hope), saw that the efforts which had been made to push the Bill were so ostentatiously great that it was obvious that its supporters did not consider it an unimportant matter; but that they believed that if it were agreed to, the result would be to force a large proportion of the Dissenting element into the government of the University. He defied them to admit the Nonconformists to the Senate and the Convocation, and to insure that the Colleges would five years hence be as they are at present. On these accounts he felt bound to oppose the Instruction; he did not do so because he wished to prevent Dissenters from enjoying all honours and distinctions attainable in a University, but because he believed that a liberal and tolerant Church of England, supported by its Universities, was a national safeguard; a safeguard, not only to its own members, but also to all orthodox Christians, Nonconformists as well as Churchmen, who valued the truths of Christ's religion preserved and taught by the Church of Christ.

Mr. COLERIDGE said, he must respectfully decline to be drawn into a discussion of the general question. The principle of the Bill had been twice discussed and twice accepted by the House—once last year, by a large majority, and again this year without a division. There was a great inconvenience in hon. Gentlemen taking more than a year to prepare their replies, and then answering speeches delivered by him (Mr. Coleridge) a long while ago. The speech they had just heard was a speech against the principle of the Bill; and, with the greatest respect for his hon. and learned Friend the Member for the University of Cambridge (Mr. Selwyn), he must say that it ought to have been delivered, if at all, on some former occasion. The present issue was extremely short and definite—namely, whether the two Universities should be placed on the same footing; and he thought it inexpedient to continue a discussion on the general principles of the Bill which hon. Members had raised in their endeavours to combat arguments which had fallen from himself in the course of two speeches—one delivered thirteen months and the other four or five weeks ago, and which they might have heard and answered at the proper time if they had chosen to do so. The principles of the Bill had been already accepted by the House by a decision with which he, for one, was perfectly content, and he trusted the House would confine itself to the question before it.

Sir WILLIAM HEATHCOTE remarked that he had a Notice on the Paper which proposed to place Oxford on the same footing as Cambridge was now; and he wished to point out that to pass the Instruction would imply legislation with respect to Cambridge, whereas, the object of his Amendment was to restrain legislation for Oxford within the limits of the Acts relating to Cambridge.

Mr. HENLEY thought it hardly fair for the hon. and learned Member for Exeter (Mr. Coleridge) to complain of discussion on the general principles of the Bill, since it was impossible to ascertain the probable effect of the proposed Instruction without doing so. He agreed that the two Universities should be identical in position; but the Instruction did not go precisely in that direction. They had before them a Bill in which there were many things they did not like, and they were asked to say that they would apply those things to both Universities. He objected to the Instruction because it invited them to take a leap in the dark; they were asked to pledge themselves to do a certain harm to Cambridge which they had not made up their minds to inflict upon Oxford. However much the House desired to put the Universities on the same footing, it surely did not desire to put them on an evil footing. He, for one, did not, and therefore should vote against the Instruction and in favour of the Amendment of the hon. Baronet (Sir William Heathcote). He believed the two Universities would then be placed in precisely the same position; but he would not vote for applying a Bill to Cambridge till he knew how they were going to affect Oxford. He recommended the hon. Member for Brighton to withdraw his Motion, and when in Committee to move the addition of a clause extending the Bill to Cambridge.

Mr. NEWDEGATE said, that the line of argument adopted by the hon. and learned Member for Exeter (Mr. Coleridge), that because he had made a speech upon the Bill on moving the second reading no further discussion ought to take place now when he proposed to extend the principle to Cambridge, was, to say the least of it, a little singular. He (Mr. Newdegate) was perfectly willing to admit to the full benefit of membership, without any degrading and dishonourable distinctions, all the subjects of the Queen who might choose to resort there, without reference to the religious communion to which they might belong or to the religious opinions which they might hold. No man should consider himself degraded because he was not admitted to the government of an institution to which he belonged; and he could not help remarking upon the arrogant temper of modern Liberalism, in claiming a sort of exclusive knowledge of what was required by the educated classes. He was of opinion that the Universities ought to be preserved as the nurseries of the clergy of the Church of England. That opinion might be right or wrong; but he could not understand the arrogant and arbitrary tone of those who attempted to force this measure upon the House. He hoped, however, that they would continue to preserve that tone, being convinced that it would tend to produce considerable re-action in the minds of the intelligent classes, and open their eyes to the real character of such liberalism.

Mr. FAWCETT was about to address the House, in reply, when——

Mr. SPEAKER: The hon. Gentleman is not entitled to reply. The Amendment is simply that it be an Instruction to the Committee to include Cambridge in the scope of the Bill.

Question put.

The House *divided*:—Ayes 253; Noes 166: Majority 87.

AYES.

Acland, T. D.
Adam, W. P.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Amberley, Viscount
Andover, Viscount
Armstrong, R.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Barnes, T.
Barron, Sir H. W.
Barry, A. H. S.
Barry, C. R.
Bass, A.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beaumont, W. B.
Berkeley, hon. H. F.
Biddulph, Col. R. M.
Biddulph, M.
Bingham, Lord
Blake, J. A.
Blennerhasset, Sir R.
Bonham-Carter, J.
Brand, hon. H.
Bright, J.
Browne, Lord J. T.
Bruce, Lord C.
Buller, Sir A. W.
Butler, C. S.
Butler-Johnstone, H. A.
Buxton, Sir T. F.
Calcraft, J. H. M.
Candlish, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Cave, T.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cheetham, J.
Clay, J.
Clement, W. J.
Clinton, Lord A. P.
Clinton, Lord E. P.
Cogan, rt. hn. W. H. F.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Colthurst, Sir G. C.
Colvile, C. R.
Cowen, J.
Cowper, hon. H. F.
Craufurd, E. H. J.
Crossley, Sir F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
De La Poer, E.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Devereux, R. J.
Dillwyn, L. L.
Dodson, J. G.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunlop, A. C. S. M.
Edwards, C.
Eliot, Lord
Enfield, Viscount
Erskine, Vice-Ad. J. E.
Esmonde, J.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Finlay, A. S.
FitzPatrick, rt. hn. J. W.
Foley, H. W.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Foster, W. O.
Fortescue, rt. hon. C. S.
Fortescue, hon. D. F.
French, Colonel
Gaselee, Serjeant S.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W. E.
Glyn, G. G.
Goldsmid, Sir F. H.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Graham, W.
Gregory, W. H.
Greville-Nugent, Col.
Grey, rt. hon. Sir G.
Gridley, Capt. H. G.
Grosvenor, Capt. R. W.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.
Hankey, T.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Hartley, J.
Hay, Lord J.
Hay, Lord W. M.
Hayter, Capt. A. D.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Hibbert, J. T.
Hodgkinson, G.
Holden, I.
Holland, E.
Howard, hon. C. W. G.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
Ingham, R.
Jervoise, Sir J. C.
Kearsley, Captain R.
Kennedy, T.
Kinglake, J. A.
Kingscote, Colonel
Knatchbull - Hugessen, E.
Laing, S.
Layard, A. H.
Lamont, J.
Lawrence, W.
Lawson, rt. hon. J. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Locke, J.
Lusk, A.
MacEvoy, E.
M'Kenna, J. N.
Mackie, J.
Mackinnon, Capt. L. B.
M'Lagan, P.
Maguire, J. F.
Marjoribanks, Sir D. C.
Martin, C. W.
Matheson, A.
Merry, J.
Milbank, F. A.
Mill, J. S.
Mills, J. R.
Mitchell, T. A.
Moffatt, G.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
Morris, G.
Morris, W.
Morrison, W.
Murphy, N. D.
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
O'Conor Don, The
Ogilvy, Sir J.
Oliphant, L.
O'Loghlen, Sir C. M.
Osborne, R. B.
Otway, A. J.
Owen, Sir H. O.
Padmore, R.
Pease, J. W.
Peel, A. W.
Pelham, Lord
Philips, R. N.
Pim, J.
Platt, J.
Pollard-Urquhart, W.
Portman, hn. W. H. B.
Potter, E.
Potter, T. B.
Power, Sir J.
Price, R. G.
Price, W. P.
Pritchard, J.
Pugh, D.
Rearden, D. J.
Rebow, J. G.
Robertson, D.
Rothschild, Baron M. de
Russell, F. W.
St. Aubyn, J.
Salomons, Alderman
Samuda, J. D'A.
Samuelson, B.
Saunderson, E.
Scholefield, W.
Scott, Sir W.
Seely, C.
Seymour, A.
Seymour, H. D.
Shafto, R. D.
Sherriff, A. C.
Simeon, Sir J.
Smith, J.
Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Stanley, hon. W. O.
Stansfeld, J.
Stock, O.
Stone, W. H.
Stuart, Col. Crichton-
Stucley, Sir G. S.
Sullivan, E.
Sykes, Col. W. H.
Synan, E. J.
Tite, W.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Vandeleur, Colonel
Vanderbyl, P.
Verney, Sir H.
Villiers, rt. hn. C. P.
Vivian, Capt. hn. J. C. W.
Waring, C.
Watkin, E. W.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
White, hon. Capt. C.
White, J.
Whitworth, B.
Williamson, Sir H.
Winnington, Sir T. E.
Woods, H.
Wynne, W. R. M.
Wyvill, M.
Young, R.

TELLERS.

Dilke, Sir W.
Neate, C.

NOES.

Adderley, rt. hon. C. B.
Anson, hon. Major
Arkwright, R.
Bagge, Sir W.
Bagnall, C.
Bailey, Sir J. R.
Baillie, rt. hon. H. J.
Barnett, H.
Barrington, Viscount
Barrow, W. H.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Booth, Sir R. G.
Bourne, Colonel
Bowen, J. B.
Bridges, Sir B. W.
Briscoe, J. I.
Bromley, W. D.
Brooks, R.
Bruce, Sir H. H.
Bruen, H.
Buckley, E.
Cartwright, Colonel
Cave, rt. hon. S.
Clive, Capt. hon. G. W.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Conolly, T.
Cooper, E. H.
Cox, W. T.
Cranbourne, Viscount
Cubitt, G.
Curzon, Viscount
Dalkeith, Earl of
Dick, F.
Dimsdale, R.
Du Cane, C.
Duncombe, hon. Col.
Dyke, W. H.
Dyott, Colonel R.
Earle, R. A.
Eckersley, N.
Edwards, Sir H.
Egerton, hon. A. F.
Egerton, hon. W.
Fane, Lt.-Col. H. H.
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Floyer, J.
Forde, Colonel
Forester, rt. hon. Gen.
Garth, R.
Goodson, J.
Gore, J. R. O.
Gore, W. R. O.
Grey, hon. T. de
Griffith, C. D.
Gwyn, H.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscoun
Hardy, rt. hon. G.
Hardy, J.
Hartopp, E. B.
Heathcote, hon. G. H.
Heathcote, Sir W.
Henley, rt. hon. J. W.
Henniker-Major, hon. J. M.
Herbert, hon. Col. P.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hodgson, W. N.
Hogg, Lt.-Col. J. M.
Holmesdale, Viscount
Hood, Sir A. A.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Huddleston, J. W.
Innes, A. C.
Karslake, Sir J. B.
Karslake, E. K.
Kavanagh, A.
Kekewich, S. T.
Kelk, J.
Kennard, R. W.
King, J. K.
Knight, F. W.
Knightley, Sir R.
Knox, Colonel
Lacon, Sir E.
Langton, W. G.
Lascelles, hon. E. W.
Legh, Major C.
Lefroy, A.
Lennox, Lord G. G.
Leslie, C. P.
Lindsay, hon. Col. C.
Lopes, Sir M.
Mainwaring, T.
Manners, rt. hn. Lord J.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Noel, hon. G. J.
North, Colonel
Packe, C. W.
Paget, R. H.
Parker, Major W.
Patten, Colonel W.
Peel, rt. hon. Gen.
Powell, F. S.
Read, C. S.
Ridley, Sir M. W.
Robertson, P. F.
Rolt, Sir J.
Royston, Viscount
Schreiber, C.
Sclater-Booth, G.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, A.
Smith, S. G.
Stanhope, J. B.
Stanley, hon. F.
Stronge, Sir J. M.
Stuart, Lt.-Col. W.
Surtees, F.
Surtees, H. E.
Sykes, C.
Taylor, Colonel
Thorold, Sir J. H.
Thynne, Lord H. F.
Tottenham, Lt.-Col. C. G.
Trollope, rt. hon. Sir J.
Turner, C.
Vance, J.
Verner, Sir W.
Walcott, Admiral
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, Sir J.
Waterhouse, S.
Welby, W. E.
Whitmore, H.
Wise, H. C.
Wyndham, hon. H.
Wynne, Sir W. W.
Wynn, C. W. W.

TELLERS.

Selwyn, C. J.
Hope, B.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Motion *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Mr. SELWYN urged that the University of Cambridge and its representatives had had no opportunity of considering the principle of the Bill, since at the second reading its operation was proposed to be confined to Oxford. He thought they were entitled to such an opportunity before the measure proceeded further, and to put himself in order he would move that the Chairman report Progress.

Mr. COLERIDGE expressed surprise at such an objection being taken, for his hon. and learned Friend, as also the hon. Member for Stoke-upon-Trent (Mr. Beresford Hope), had on previous occasions taken part in the discussion of this measure. The Bill was very short. It proposed to admit Dissenters to the Convocation of Oxford, and if extended to Cambridge, would, of course, admit them to the Senate of that University. He hoped the Motion would not be pressed.

Mr. SELWYN, in explanation, remarked that on the second reading the Bill was confined to Oxford, and the hon. Member for that University (Sir William Heathcote) intimated his intention to propose Amendments which would he hoped be accepted. It would therefore have appeared a waste of time for the friends of Cambridge to take part in the discussion; but by the Instruction the Bill altered the position in which Cambridge was at present placed, and they ought to have an opportunity of considering it.

Mr. BERESFORD HOPE said, that until five minutes ago this was an Oxford Bill, and Cambridge now found itself in the position of a measure having been read a second time, by which its internal constitution was vitally affected. Under these circumstances, it was only fair that the Senate of Cambridge should have an opportunity of considering it.

Motion *negatived.*

Clause 1 (Persons taking Lay Academical Degrees not to be required to take any Religious Oath or subscribe any Formulary of Faith).

Mr. WALPOLE asked, whether the hon. Members in charge of the Bill had considered the form of the Amendments which would be necessary in order to carry out the Instruction. The term Convocation was not applicable to Cambridge.

Mr. FAWCETT said, it would be sufficient in most cases to add the words "and Cambridge."

Sir WILLIAM HEATHCOTE said, he had given notice of two Amendments, the object of which was to bring the University of Oxford to the position in which Cambridge now stood; but, after the division which had taken place, he felt that it would be useless to go to a division, though he wished to place his Amendments on record.

Amendments proposed, in Clause 1, page 1, line 16, after "thereof," insert "except being or becoming a member of the Convocation of the said University."

In page 2, line 5, after "notwithstanding," insert—

"And any person who shall have obtained any such degree as now confers a title on the holder thereof to become a member of the said Convocation shall thereby, and although he shall not have subscribed such articles or formulary, nor have made nor taken such declaration or oath, be entitled to obtain, under the provisions and subject to the other conditions of the Act of the seventeenth and eighteenth Victoria, chapter eighty-one, a licence to open his residence for the reception of students."—(*Sir William Heathcote.*)

Mr. COLERIDGE said, that he must oppose the Amendments, for he considered that the only hope of effecting any good by the Bill was to pass it in its integrity. At the same time, in reference to the colleges, he wished to say that he had no desire to touch them, and he believed that they were wholly unaffected by the operation of the Bill; but if any hon. Member could point to any words that could be construed into any interference with the present condition of the colleges, he should be prepared to amend them.

Amendments *negatived.*

Clause *agreed to.*

Remaining clauses *agreed to.*

House *resumed.*

Bill *reported*; as amended, to be considered *To-morrow.*

Mr. Beresford Hope

ASSOCIATIONS OF WORKMEN BILL.

(*Mr. Neate, Mr. Thomas Hughes.*)

[BILL 21.] SECOND READING.

Order for Second Reading read.

Mr. NEATE, in moving that the Bill be now read the second time, explained, that in proposing this measure he had no intention of impugning the recent judgment of the Court of Queen's Bench, which if questioned at all ought to be appealed against in the House of Lords; but simply wished to restore to trade societies that right of summary process before a magistrate against a defaulting treasurer which prior to that judgment they practically enjoyed. The recent decision in the Court of Queen's Bench had virtually taken away this power from trades union societies, and had placed them almost out of the pale of the law. Another effect of that judgment was, that the duty was thrown upon the magistrate of deciding upon the nature of any particular society that might appear before him, as to whether it was or was not of a political character—a duty which he believed that they were unwilling, and might in some cases be incompetent, to discharge. The right of combination for the purpose of reducing the hours of work or of raising the price of labour, was conferred upon workmen as far back as the year 1818; but the effect of the recent judgment would be, that any arrangement of this sort, however expressly it might exclude anything like the exercise of violence, might come within the principle laid down by the learned Judge, and thus drive the society from its legal status. He therefore felt that the Legislature was called upon to interfere for the purpose of remedying the inconveniences that attended the present position of these societies. The question was not whether trades unions were societies which deserved special encouragement, but whether they were of so pernicious a character that they ought to be excluded from advantages extended to harmless societies. With the economical character of trades unions the House had nothing to do; and if they were political bodies they were only slightly so. But were they not of use in preventing violence and the destruction of property? Some time ago a glowing account was published of the excellent relations existing between the Belgian workmen and their employers; but soon after that we heard of a very formidable outbreak on the part of some of those workmen. Even if there were no trades unions we could not prevent differences from arising between employers and the employed; and if the workmen had not an opportunity of constantly conferring together, their feelings might become aroused to a dangerous degree, and in case of a strike, having no funds to fall back upon, some of them might be tempted to have recourse to plunder and the destruction of property. He trusted the House would allow the Bill to be read a second time as an admission of the difficulty which existed, and that Government would introduce a measure on the subject.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Neate.*)

The ATTORNEY GENERAL said, it was quite impossible for the Government to assent to the second reading of the Bill, and he hoped his hon. and learned Friend would not press it. The objections he had to the Bill were founded on no reflections upon trades unions, nor upon any considerations of a political nature; nor was it because he thought these societies were contrary to public policy:—he objected to the Bill because it proceeded on the unprecedented principle of asking the sanction of the Legislature to an existing and continuing violation of the law. This was not a case in which the hon. Member having charge of the Bill said the law was wrong, and asked to have it repealed. Neither did the hon. and learned Gentleman ask for a mere indemnity for past and completed errors. These would be two intelligible propositions. But admitting, as he did, that the law had been violated—that the Courts of Law had declared the constitution of these societies to be illegal—the hon. and learned Gentleman proposed that, without an alteration of the law which had been so violated, legislative sanction and encouragement should be given to all societies continuing in a like course of illegality. Such a proposition was so inconsistent with every idea of legislation that he was surprised it should have been brought before the House. By the Friendly Societies Act of 1854 it was enacted that certain facilities should be given to societies of that kind, provided certain rules were complied with, and provided those societies were established for purposes not illegal. It appeared that the treasurer of a certain trades union was in default; proceedings against him were taken before the magistrates, when the objection was taken that the society was illegal, and that therefore the magistrate could not exercise any jurisdiction. Ultimately the case was brought to the Queen's Bench, which Court decided that it could not give the society relief in any way as against its defaulting treasurer. That decision was based, not on the fact that the society in question was a trades union, but on the fact that its rules were illegal, and consequently, that the society could not claim the benefit of the provision in the Friendly Societies Act. If his hon. and learned Friend objected to that decision, he could advise the society to go to the Court of Error. But, as he understood him, he did not object to it; neither did he ask the House to repeal the law; but he said, "Let the law continue as it is; let those societies continue to be illegal; I ask no alteration of the law respecting them; I ask that they may continue in their violation of the law, but that while so continuing they may have all the privileges to which they would be entitled if they were acting in conformity to the law." Now, he submitted that such a proposition was self-contradictory. He could understand an application from his hon. and learned Friend to have the benefits of the Friendly Societies Act extended to such trades unions as altered their rules so as to make them legal, and to have the Bill granting such extension retrospective so far as to include the liability of treasurers of such unions for money paid into their hands before the rules had been altered; but the proposition now before the House was one to which the Government could not give their consent, and he had to repeat the expression of his hope that his hon. and learned Friend would not press it.

Mr. THOMAS HUGHES said, the remedy suggested by the hon. and learned Attorney General was quite impracticable. One of the objects of these societies was to assist their brethren when out of work, and to ask them to repeal the rules to which the hon. and learned Gentleman had referred was simply asking them to extinguish themselves. He did not want to go into the question as to whether trades unions were good or whether they were bad. Those societies were in existence, and acting, as they believed, in such a manner as to give them the benefit of the 44th section of the Friendly Societies Act. The members had for the last thirteen years been paying in sums of money to their treasurers, which sums, in consequence of the decision of the Court of Queen's Bench, were completely jeopardized. He knew a good deal of the circumstances connected with the framing of that 44th section. At the time it was under consideration persons interested in trades unions got the highest opinion that their rules were legal. No doubt, the very eminent gentleman who gave the opinion meant that the rules were not illegal in a sense which would render the members of the unions liable to a criminal prosecution; but the persons who consulted him understood the opinion to be that the rules were legal in the sense that would entitle the unions to the benefits of the provision in the 44th clause of the Friendly Societies Act, and, accordingly, they deposited their rules with the Registrar of the Friendly Societies in order that their unions might be brought under the Act. In point of fact, these societies thought that their rules had been sanctioned by a Government officer; and he might remark that three years ago the then Chancellor of the Exchequer (Mr. Gladstone), after careful consideration of the subject, allowed societies registered under the 44th clause to deposit their surplus funds in the Government savings banks. The number of these societies was forty-four. One of them had upwards of 33,000 members and a spare capital of £150,000; and branches of it were established not only in the large towns of the United Kingdom, but also in the United States and the colonies. Then there was the Society of Amalgamated Carpenters and Joiners, with upwards of 200 branches and a fund of between £14,000 and £15,000. The funds of these societies were in the hands of their officers in every part of the country, who, unless some such measure as the present were carried, might pocket the money with impunity, as it had been decided that, as the law now stood, the societies had no remedy whatever. Now, what would be the effect produced on the minds of the members of these societies if they were left entirely without remedy—if they had no means of protecting their funds against frauds on the part of their officers? The effect of throwing out the Bill would be the exciting a sense of injustice in the minds of all the members of these societies, and which would make them very discontented, whereas at present they were all loyal and well-affected citizens.

Mr. POWELL thought that while the Commission was pursuing its inquiries the House ought to preserve a strict silence on the subject of these societies. There had been nothing in the action of Parliament during the last fifteen years which could be regarded as a recognition of those societies, and the House could not be held responsible for any misconstruction of the law under which they had acted. If the wide question of illegality were dealt with on the ground of restraint of trade their legislation would have to embrace not only trades unions but also masters. But though he had objections to the Bill, he did not wish it to be inferred that he was averse to some alteration of the law. Considering the number of men and the amount of capital in these societies he thought that their case ought to be considered by Parliament in a fair and friendly spirit. He thought it would be better if the present Bill were withdrawn and a special measure brought in.

Mr. J. STUART MILL said, that if he were a party man he should be enchanted at the course taken by the Government on this subject; since what they were now doing took away all the grace from the concession they had made in granting an inquiry into the subject of trades unions. As far as mere words went, nothing could sound fairer than to say to the unions—Set yourselves right before the law, and we will then see what can be done for you. But, what was the fact? The law which they were said to have violated was a mine sprung under them. No one dreamt of it until the recent decision of the Court of Queen's Bench. Under the power which our law allowed the Judges to assume, of declaring that whatever was in restraint of trade was illegal, anything might be made law; but when a law was made in this way, it was to all intents and purposes a new law. As the law which these societies were said to have violated was a law of which they and everybody else had been entirely ignorant, the only rational course was to preserve the *status quo* until the whole subject had been reconsidered, which would only be done by legalizing provisionally the course which the societies had pursued, and allowing them to continue in that course until a final settlement was come to. It was a highly demoralizing practice to attempt to prevent people from doing what it was desired they should not do, not by punishing them, but by enabling any scoundrel to plunder them—by granting him complete immunity for acts which in any other case would be severely punished. The Legislature should not employ the vices of mankind, but their virtues, to carry out its intentions. It would have been infinitely better for these societies to have punished their officers criminally, than to put the societies themselves out of the protection of the law.

MR. BARROW said, that trades unions had been sailing under false colours, and had called themselves friendly societies, when, in fact, they were political associations. The Judges had declared that their rules were contrary to law; and now the House was asked to restore rights which never existed; for the object of the Bill was to enable societies to recover from their officers monies levied for illegal purposes. It would be better, in his opinion, that the Bill should be withdrawn.

And it being a quarter of an hour before Six of the clock, the Debate was adjourned till *To-morrow.*

House adjourned at ten minutes before Six o'clock.

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HOUSE OF LORDS,

Thursday, April 11, 1867.

MINUTES.]—PUBLIC BILLS—*First Reading*—Criminal Law* (81); Policies of Insurance* (82).
Second Reading—Marine Mutiny* (76).
Committee—Vice Admiralty Courts Act Amendment* (71).
Report—Judges' Chambers (Despatch of Business)* (58); Vice Admiralty Courts Act Amendment* (71).
Third Reading—Canada Railway Loan (73), and *passed.*

CHURCH OF ENGLAND—RITUALISTIC PRACTICES.

PERSONAL EXPLANATION.

THE DUKE OF MARLBOROUGH said, that in the course of the discussion raised by the noble Marquess (the Marquess of Westmeath) on Tuesday last on the subject of Ritualistic Practices in the Church of England, he was reported to have said that the noble Marquess had omitted to read an important passage from a document which he had in his possession, and which passage he himself, in following the noble Marquess, read to the House. He was at the time under the impression that he was quoting from a duplicate of a paper in the hands of the noble Marquess; but he had since received a communication from him to the effect that he was mistaken in that impression, and that the document used by the noble Marquess did not contain the sentence in question, and he had therefore no hesitation in retracting the charge founded upon it which he had made, and in admitting that no charge could arise out of it against the noble Marquess.

CANADA RAILWAY LOAN BILL—(No. 73.)

(*The Duke of Buckingham and Chandos.*)

THIRD READING.

Order of the Day for the Third Reading read.

THE DUKE OF BUCKINGHAM, in *moving* that the Bill be now read the third time, said, it was not a measure emanating from Her Majesty's present Government, but was for the completion of negotiations which had been carried on with successive Governments for many years past. The proposal contained in the Bill was, that this country should guarantee the interest of a loan of £3,000,000 for the construction of the Intercolonial Railway. When the proposal first assumed a definite form, some six years ago, the contemplated arrangements were of a complicated character, owing to the necessity of dealing with three separate colonies, and determining as to what proportion of the loan was to be guaranteed by each Province, and as to the works to be undertaken by each Province. But the Act which had already passed through the Imperial Parliament, and received the Royal Assent that Session, had simplified that question by reducing the arrangement to one between the Imperial Government and the confederated Provinces. The guarantee had therefore taken the shape of a simple guarantee by this country to the one Dominion of Canada, and an engagement by Canada that, before that guarantee was given, the confederate Provinces would, by an Act of the new confederate Parliament, sanction and authorize the construction of a railway, the charge on the consolidated revenues of Canada of the interest of the loan, with a sinking fund which has been agreed at 1 per cent per annum on the total amount of the capital guaranteed; and also of the charge—which was one of considerable importance—upon the consolidated revenues of Canada, next after the charges of the interest and the sinking fund, of whatever sum might be necessary (beyond the £3,000,000 guaranteed), for the completion of the railway, without any Imperial guarantee. It was unnecessary at that stage to enter into the question of the merits or demerits of the particular scheme. Originating as it did in the first instance in the decision of the then Government of this country that it was essential that a line of communication should be constructed to connect Canada with a port under the control and dominion of the Imperial authorities, it had never ceased to be an object of solicitude on the part both of the Provinces and of the Imperial Government that the scheme should be brought to completion. That original project of a military road to be constructed at the sole cost of the Imperial Government had been gradually developed into the scheme which it was now proposed should be completed, of a railway communicating between the Canadian system of railways and the port of Halifax. Up to the time of the agreement for a confederation between our North-American Provinces it might have been very fairly argued that Canada had no such great interest in that scheme as would have induced her to complete it, because her commerce, if it passed over the proposed railway to the sea, would still have had to pass over a line and to a port which was not in her own hands. But the Confederation between the different Provinces now changed the position of Canada in that respect, and by the completion of the Intercolonial Railway, Canada would obtain a communication with the sea at Halifax, passing entirely through a country and to a port under her own control. Looking at the progress which Canada had made during the last thirty years, the importance to that colony of having a communication between her system of railways and a seaport under her own control could hardly be over-rated. It had been said that this railway, even if made, would pass through an inhospitable country, with a scanty population and few resources, and that it would be closed during many months of the year; but there had been no evidence of this. There might be times during which a railway in that country would be closed for a few days at the commencement of the snow, or at the break up of the frost; but all the experience of the results of the working of the Canadian and American railways showed that afterwards there was hardly any other stoppage of the traffic throughout the year. It was quite unfounded to assert that this guarantee was given as a bribe to Canada to enter into the Confederation of the Provinces. It had never been the policy of this country to enter into engagements of such a kind. The proposal for the Confederation was brought forward by the Provinces themselves with a view to develop the commerce and resources of the country, and they might fairly ask the assistance of the mother country to aid in a measure which would strengthen their means of self-defence. Ample security, in the ordinary sense of the word, had been offered that this loan should be repaid, and that no undue charge or heavy burden should fall on this country. It was impossible to give a guarantee without being liable to the extent of that guarantee; but those who brought forward the measure had satisfied themselves that it would not ultimately impose any burden on the taxpayers of this country. No one could doubt that this Intercolonial Railway would lead to such a development of the resources of the country, and to such an increase of the population, that it would enable the inhabitants of the colony to bear the taxation required to meet the guarantee almost without feeling it. A former guarantee of one-half the amount now asked for, but given at a time when the population and revenues of Canada were much smaller, and given, moreover, at a period of great depression, had been repaid in full a considerable period before it was really and strictly due, and had been repaid not with borrowed money, but out of the revenue of the colony. After the examination and scrutiny which this measure had undergone from the late Duke of Newcastle, and many of his predecessors, and also from the House of Commons, he felt confident that their Lordships would not refuse their assent to this measure; but would, by sanctioning the loan, enable the Provinces to commence, with the new system of Government, and with the establishment of the Confederation, a work which they and the Imperial Government had pronounced essential for the development of their resources, and which was necessary to give them the undivided control and power over that which would be to the sea through a great portion of the year their only access.

Moved, "That the Bill be now read 3ª."—(*The Duke of Buckingham.*)

Lord LYVEDEN said, he did not intend to oppose the Bill, although he entertained strong objections to its principle. Coming as it did before their Lordships as a loan Bill, they were almost incapable of introducing any Amendments into it. The noble Duke had referred to the approval of this scheme by preceding Governments; but when Minister after Minister of both parties had proposed such schemes as the present, it behoved those who did not belong to either of those Ministries to look all the more sharply into similar proposals. It was idle to talk of a guarantee of this kind not involving any real burden; because, as had been said by one of our greatest financiers, if the Government went into the money-market and attempted to borrow money, after having given such a guarantee, they could not do so on such favourable terms as if no such guarantee had been given. The right hon. Gentleman (Mr. Adderley) in introducing the Bill in the other House adopted an apologetic tone, admitting that such guarantees were objectionable, and that this was a deviation from the policy which had been pursued by successive statesmen, but arguing that the case was exceptional. He (Lord Lyveden) was at a loss, however, to discover any exceptional circumstances which were always suspicious. The preamble of the Bill stated that the railway would conduce to the welfare of Canada, and would promote the interests of the British Empire; it had not, however, yet even been decided what route should be adopted, and the lines which had been constructed as commercial speculations had not proved remunerative. He could only conclude, therefore, that what was meant was the defence of Canada. This was a difficult subject; but he believed the majority of military authorities—and he was speaking in the presence of an illustrious Duke who was the highest military authority—were of opinion that the proposed railway would not answer that purpose, and that the defence of such a line of frontier as that of Canada would be impossible without more fortifications and more men. Such a defence could only be directed against the United States. Now, he objected to this continual introduction of this question of defence; for though he did not believe the United States were inclined to attack Canada, he thought it was unwise to be thus continually holding up perpetual warnings to the United States of the defenceless state of our frontiers, and offering constant temptation to aggression. Moreover, if we should ever be embroiled with the United States it would be very inexpedient to carry on war on the most disadvantageous ground that could be selected. The inhospitable nature of the country was really its best defence; whereas if this railway fell into the hands of the enemy it would become a useful instrument of aggression. He should like also to know why the Canadians could not undertake the works contemplated by the Bill themselves? We ought to let our colonies rest on their own responsibility. It was true that we ought to set them afloat; but after we had once set them going they ought to be able to take care of themselves without further help from the mother country. If this country went on lending money in this way whenever it was asked for, it was impossible that the Canadians would ever think of relying solely upon themselves. It was true that they offered a gallant resistance to the Fenian raids; but he understood that they had done little or nothing towards the fortification of Montreal, which it had been agreed should be undertaken by them, while we bore the cost of fortifying Quebec. The defence of the colony ought to rest on the public spirit of the people and on their determination to repel aggression from any quarter; but as long as we went on lending them money and guaranteeing their loans, it was hardly in human nature to expect that they would show any self-reliance. We had withdrawn our troops from New Zealand, and, according to Sir George Grey, the results had been most salutary; but a contrary policy towards Canada would incite the people to extort money from the mother country, for they would know that they had only to raise the bugbear of an American invasion in order to procure immediate assistance. As long as we let it be understood that war with Canada meant war with England, we offered a temptation to the United States to threaten our frontier, and encouraged the colonists to rely upon us instead of upon themselves.

Earl RUSSELL: My Lords, I heard my noble Friend who has just sat down say that it was very unwise to be constantly calling out that Canada was defenceless.

I quite agree with my noble Friend; but, if that be so, I think your Lordships have reason to complain of my noble Friend's speech, which dwelt chiefly on that very theme. I confess I am apt to think that, though there may be difficulties in such a course, and that such a course may promise small advantages and great risk, yet we are bound, from a feeling of national honour, to support our colonists, who are subjects of our Queen, in carrying out their loyal views, and it is quite possible that the difficulties which stand in the way of our doing so may be overcome. It is not for me to say what may be the military defence of Canada. We all know that there is a very extensive frontier to be defended, and that the United States are very populous; and we have seen of late years that they can place on foot an immense and efficient army in a short time. All this is known to all the world; it does not require that we or the United States should proclaim it; and the passing of this Bill cannot be considered as the proclamation of any fact of which the Americans are not already cognizant. Still, we have seen that a country like this may be able to accomplish very difficult things. The defence of Canada would, no doubt, be very difficult; but it has often occurred to me that if our ancestors had acted upon the same timid views which some persons entertain, the state of things would now be very different. If, for instance, our statesmen about a century and a half ago thought it right to defend Portugal, a small country having a comparatively extensive frontier conterminous with Spain, and did it with success, the defence of a colony like Canada may not be so hopeless as my noble Friend supposes. Portugal was apparently at the mercy of Spain. But Spain was not the only country which Portugal had to dread. France was afterwards united with Spain by a family compact, and both those countries were able to throw a seemingly overwhelming force upon Portugal, which there was every likelihood of their being able to overrun and conquer. Nevertheless, we kept to our treaty with Portugual, and we were always ready to give her assistance. It might be said that there were difficulties which both France and Spain had to encounter in carrying out their designs against Portugal. But there came a time when the Sovereign of France was the greatest general of modern times, and had the largest armies at his disposal. You would think, then, that the case was quite hopeless, for here were 300,000 or 400,000 men who could be always sent under one of the great Marshals of the Empire against her, and Portugal must have been lost. But we, too, had a great general; but, above all, we had spirit and determination to defend Portugal, because she was our friend and ally, and that defence succeeded. There still remains the treaty; there still remains Portugal; and I defy you to say that the defence of Canada is a bit more difficult than the defence of Portugal at that time. I will not attempt to show the way in which we could defend Canada—that is a question for military authorities. But there is this great consideration—which affects all the Powers of the world—that a State, however great, has often a difficulty to encounter which may make her hesitate to go to war; because, although conquest may be apparently easy, it may lead to other wars, or may excite jealousy and hostility of other Powers. Therefore, a country which may be disposed to enter upon a war of aggression is often deterred from doing so. I do not know, for instance, that any one could say that Belgium would be able to resist the whole power of France if directed against her, or that Sweden could resist the power of Russia if turned against her. But there is a sense among great Powers that an unprincipled aggression solely for the sake of ambition may be the cause of very great misfortunes to the people that make it. These attempts, therefore, that seem so easy from a military point of view are not attempted. That appears to me to be something like the position of the United States in relation to Canada. My noble Friend has said that if we have any honour among us an unprincipled attack upon Canada would give rise to a war between us and the United States. That is a motive, and I trust long will be a motive, with the United States for refraining from such an attack. It is impossible not to see that the United States must be sensible that in a war with England they should have to take the chances which might occur—the chances of great loss, of immense cost—and, probably, at the end of the war, the United States might not be in possession of Canada, and might not have been in any sense gainers by the war. These are considerations which affect statesmen and rulers; and thus the safety of weaker States is secured, which otherwise would appear hopeless. My noble Friend says we must take away our troops from Canada, as we have done from New

Zealand and other colonies. But it is to be observed with regard to New Zealand, the Cape, and every other colony of ours, that we have no great land frontier exposed to attack, and that no one of our colonies except Canada has a great State bordering on it. Therefore, it may be wise to keep troops in Canada even when we withdraw them from New Zealand. For my own part I think it wise, and great military authorities have been of the same opinion. I do not think it would be good policy to leave Canada without defence. Undoubtedly we expect that when these different colonies of North America enter into confederation, and comprise a population of 4,000,000 under one Government, they will furnish a sufficient army to defend themselves; but, at the same time, we must give them certain assistance and encouragement. There is no doubt that at the first blush it would appear a very difficult thing indeed if you were on unfriendly terms with the United States, to defend Canada from aggression. But, for my own part, it seems to me that, having the New World open to her, the United States are very likely to spread their colonization rather to the West and South than to the North. I do not expect, therefore, unless there be cause for it on other grounds, that the United States will attack Canada merely, as my noble Friend says, for the vexation of this country. I think the statesmen of the United States are generally very wise and far-seeing men, and I do not believe they are likely to go to war with England for any such purpose. It is true that even respectable newspapers in the United States are always declaiming against England; but I do not think her statesmen would think of attacking Canada for the mere purpose of annoyance. I do not think, therefore, that there is any such insuperable difficulty in point of policy as should induce us to do that which is dishonourable—for it would be dishonourable to desert the Queen's subjects, who look to you for protection—and therefore I heartily give my assent to the proposal contained in this Bill.

The Duke of CAMBRIDGE: My Lords, as the defence of Canada has been much referred to in the course of this discussion, I wish to say a few words. I confess I rejoice that this measure for a Confederation has been brought forward, and that it has been accompanied by a project for the proposed railway, which in a military point of view cannot fail to be of the greatest importance. The defence of Canada without such a railway presents much difficulty. We have seen in late years the inconvenience which results from the fact that during a considerable period of the year we are deprived of any direct communication with the Upper Provinces. As your Lordships know, it is only during a portion of the year that the great river St. Lawrence can be navigated, and that in the winter months the Upper Provinces are to a great extent, for military purposes, cut off from communication with the mother country. This railway, if completed, will form a connecting link at all periods of the year between the mother country and the North-American Provinces. On that ground alone I believe it is of Imperial interest that this railway should be completed; and if the measure now before your Lordships produces that result, I think it would be of signal benefit. My noble Friend (Lord Lyveden) has dwelt strongly upon the difficulty of defending the Canadian frontier. But, though that operation may be one of considerable difficulty, it ought not to be treated as impossible. Indeed, I see no reason why, however arduous the task may seem, it may not be accomplished; because in war some of the greatest operations which appeared to be almost impossible, yet by talent, perseverance, energy, and courage have been carried out with entire success. As far as the Imperial Government are concerned, they have already shown their desire to do their part. The defences of Quebec have already been taken in hand, and I trust that Quebec will soon become a powerful and important fortress. Montreal also requires defence, and I trust that the delay which has taken place in providing for its defence has only been caused by the feeling that the question of the Confederation ought first to be considered and dealt with. I do hope that, seeing the anxiety of the mother country to support the object of the Confederation, the colonists will now think the time has come to put their shoulders to the wheel, and do all that in them lies for the protection of their extended frontier. The matter is one which depends in a great measure upon themselves, and I hope that the good feeling shown on our part will encourage them to do that which, as I know, they were certainly at one time disposed to do—look after the defence of their own territory. I am entirely of opinion that if the loyalty and devotion which have been hitherto displayed by the colonists should continue to increase, after the Confederation is established, as it has increased up to this time, Canada will before long, in men and material, be able to defend itself. I mean, of course, that she will do this as far as her power and means go, and not that she will be able to dispense with Imperial aid. As to the entire removal of the Imperial troops, that is out of the question. My noble Friend (Earl Russell) has pointed out that most of our colonies are so situated that they have no frontier to defend. Canada, on the contrary, has a most extended frontier, and it would be an absurdity to leave such a colony wholly denuded of Imperial troops, though, of course, the number of those troops ought to be as much reduced as can safely be done. All that is wanted is a small compact force as a nucleus round which the colonists may rally. It must give the greatest satisfaction to every Englishman to see how anxious the colonists are to maintain their connection with the mother country. Considering the changes which have taken place of late, and the manner in which they have been pressed to separate from this country, I think it redounds greatly to their credit that their loyalty and devotion to the mother country have remained unshaken, or, rather have increased in recent years. I do hope, therefore, that the feeling which has been so nobly shown in Canada, and the gallantry with which the Militia and Volunteers have come forward on every occasion when their services were needed, will be appreciated here, and that we shall hold out the hand of friendship to the new Confederation, which, I believe, will be of great advantage to the colonists, and, I hope, will also add to the security of the Empire. I repeat that we must not be led away by the notion that the colony is indefensible. I believe, on the contrary, there will be means to defend it; and I shall rejoice not only at the Confederation which this Bill is to ratify, but also at the military chain of defence which the Bill will complete, and which is so essential to the maintenance of our Empire in this large, valuable, and important possession.

THE DUKE OF BUCKINGHAM said, that remarks had been made upon the absence of information respecting the line to be determined upon for the Intercolonial Railway, and a fear was expressed that it might be placed in too great proximity to the American frontier. His reason for not referring to any particular line was that it was far better for the colonists to lay down the railway along what appeared to be the most advantageous route, bearing in mind that it was not probable that any portion of the railway would pass in any nearer proximity to the frontier than the present Grand Trunk Railway terminus on the St. Lawrence. The noble Lord (Lord Lyveden) had remarked on the great advantages which would accrue from the withdrawal of the troops from Canada, instancing the progress made in New Zealand owing to that cause. But his illustration was not a happy one, for the troops had not been withdrawn from New Zealand at the date of the letter to which the noble Lord referred. The noble Lord had taken exception to the wording of the preamble of this Bill, and the use of the term "the welfare of this country." Surely, however, the criticism was not just; for if the proposed railway assisted to develop the trade and resources of the colony by bringing the maritime Provinces nearer to the upper Provinces, and thus connecting the colony more closely with the mother country, such a measure could not be otherwise than for the welfare of the latter. Then the noble Lord said that this guarantee was the price or the bribe we were paying to the colonists for Confederation. But it was not so, for before Confederation was so much as thought of an opinion had been pronounced by the Government of this country that the improvement of the means of communication between different parts of Canada was highly desirable. The noble Lord would find that the plan of water communication had been carried out by this country, and the reason why the scheme, first proposed, of a military road had not been carried out, was because the railway system had only just then been introduced into the colony. As early as 1852, the noble Lord, the then Secretary of State, proposed that guarantees should be given for the money to be raised for a work very similar to that now contemplated. In the papers and despatches referring to those proposals no allusion was to be found to the idea of Confederation; but the opinion of the Government of this country was there recorded as to the necessity of this work; and it was unfair to say, therefore, that this loan had been granted as the price of Confederation. The Confederation had been spontaneous on the part of the Canadians, and the loan was to enable them to complete a work which this country had, as far back as twenty years ago, pronounced to be essential to the development of the colony. We ought to assist Canada by giving her free communication with the sea; and, though in case of danger she must defend herself, yet we ought to give her the necessary means of carrying out that defence. It could not be expected that if we refused to give to Canada the means of defending herself, and also withdrew our troops from the colony, she could remain attached to the Empire; but if we gave her the aid on which she relied for developing her own resources, and utilizing them for her defence, she would remain loyal to this country; and then it would be found that in the event of Canada being exposed to danger the people of England would rally round the colony and defend it with all the power at the command of Great Britain.

In reply to Lord LYVEDEN,

THE DUKE OF BUCKINGHAM said, that no progress had been made with the works at Montreal, because it was agreed by the late Government that the subject of Confederation should take precedence of the fortification question.

Motion *agreed to:* Bill read 3^a accordingly, and *passed.*

AGRICULTURAL GANGS.

OBSERVATIONS.

THE EARL OF SHAFTESBURY, on rising to bring under the Notice of the House the Sixth Report of the Commissioners relating to the Agricultural Gangs, said: My Lords, I have no intention of troubling your Lordships at any great length, particularly as I know that a debate of very great importance is going on in the other House; but, having given Notice some time ago of my intention to bring this subject under your Lordships' notice, although I have been forestalled by a Motion made in the House of Commons a few nights ago, yet I think it my duty to show, as briefly as I can, that this House has not been unmindful of the welfare of the agricultural community, and that the charge made against the landlords, that they evince no interest with regard to their poorer tenants, is altogether unfounded. Two years ago I had the honour of bringing this subject under your Lordships' notice, and, I believe, I was the first person who drew attention to it. I then moved your Lordships to present an Address to the Crown, praying for the appointment of a Commission to inquire into the subject of the employment of children and young persons in various trades not protected by the Factory Acts, and that that Commission should take into consideration the system of agricultural gangs. The Report of that Commission was made a very short time ago, and I wish to read a few extracts, in order to show your Lordships what the system really is. The Commissioners say—

> "The system of 'organized' labour known by the name of 'agricultural gangs' exists, as far as the Commissioners have been able to ascertain, almost exclusively in the following counties:—Lincolnshire, Huntingdonshire, Cambridgeshire, Norfolk, Suffolk, and Nottinghamshire. There are a few instances of the employment of these gangs in three other neighbouring counties—namely, in the counties of Northampton, Bedford, and Rutland. They are not found over the whole of any of these counties, but are distributed irregularly through various parts of them, in obedience to local circumstances. All organized agricultural gangs consist of the gang master, a number of women, young persons of both sexes. The Commissioners, in designating 'young persons,' adopt the definition of the Factory Acts—namely, those between thirteen and eighteen. Children of both sexes from the age of six to thirteen. The 'organized gang'—the subject of the present inquiry—is called in some districts the 'public gang,' in others the 'common gang,' in some places it is called the 'jobbing gang,' elsewhere the 'travelling gang.' The numbers in each public gang are from ten or twelve to twenty, thirty, and forty, very rarely above forty. But the most common, because the most manageable number, is about twenty, employing in the whole about 7,000 boys and girls, from six years old and upwards. In addition to the 'public gangs' there are also many 'private gangs,' employing full 20,000. The 'public gang' master is an independent man, who engages the members of his gang, and contracts with the farmer to execute a certain kind and amount of agricultural work with his gang. The 'private gang' is a small gang, seldom exceeding twelve or twenty, similarly composed, but in the farmer's own employ, and superintended and directed by one of the farmer's own labourers. The unanimity with which the public gang system is condemned in consequence of its injurious influences on the moral character of those subject to it is all but entire throughout the whole evidence. The number of persons who are able to speak well of the system under its moral aspects, as far as they have witnessed it, is very small indeed. The rest, with an earnestness of expression which testifies to the sincerity of their convictions, are evidently deeply impressed with the desire to call attention to the great amount of moral evil connected with the system, and to urge the consideration of some mode of improving it. A great part of the work consists in making or keeping the land in a fit state for the growth of crops by cleaning it from weeds of all kinds, and may be included

> under the description of weeding, 'knocking,' or spreading, and putting in manure are sometimes added. Thinning or 'singling' turnips and mangold wurzle is a work of the same nature as weeding. The work also includes the putting crops into the ground, as by setting potatoes and dropping seed for dibblers, treading corn on light soil, &c. The work also includes the getting in of certain crops when ripe, *e.g.*, pulling turnips and mangolds or beet, pulling flax, and sometimes peas, instead of their being mown; picking up potatoes when dug or turned up; also gathering garden produce in market gardens of fruit and vegetables. The turnips or mangolds when pulled have also to be topped and tailed."

As an instance, take the following, which is recorded by Mr. Savage:—

> "Mrs. Antony Adams, labourer's wife, Denton, Huntingdonshire—'In June, 1862, my daughters, Harriet and Sarah, aged respectively eleven and thirteen years, were engaged to work on Mr. Worman's land at Stilton. When they got there he took them to near Peterborough; there they worked for six weeks, going and returning each day. The distance each way is eight miles, so that they had to walk sixteen miles each day on all the six working days of the week, besides working in the field from 8 to 5 or 5 30 in the afternoon. They used to start from home at 5 in the morning and seldom got back before 9. They had to find all their own meals, as well as their own tools (such as hoes). They (the girls) were good for nothing at the end of the six weeks. The ganger persuaded me to send my little girl Susan, who was then six years of age. She walked all the way (eight miles) to Peterborough to her work, and worked from 8 to 5 30 and received 4*d.* She was that tired that her sisters had to carry her the best part of the way home—eight miles, and she was ill from it for three weeks, and never went again.'"

When a system like this exists, it is obvious that the Legislature ought not to hesitate a moment in applying a proper remedy for the evil. The Report goes on to say—

> "The dress of females collects wet much more than that of boys or men, and even if they are at work does not dry nearly so quickly. The workers are often waiting about for long intervals with wet feet and their clothes soaked through up to their knees or waist, or higher, doing nothing but waiting till the weather or the crop is drier. Children, from being shorter, are wetted by the crops higher up their bodies than elder workers, though not worse off as to rain. The gang-workers, as a rule, are the poorest of the labouring class, and many of them are badly fed, shod, and clothed, and have very small means of making a change of clothes when they return home. Not only rain, but even in fine weather the dew makes the crops very wet, some much more so than others, and the higher the crop the more are the workers exposed to this wet, and females owing to their dress much the most. Hence they are often soaked through up to the knees or waist, and children even higher, and have to squeeze or wring out their petticoats, and even take them or other parts of their dress off and hang them up to dry. A young woman entirely crippled with rheumatism, which she got soon after going into a gang at eleven years old, says 'We have had to take off our shoes and pour the water out, and then the man would say, 'Now then, go in again.' It is suggested by a competent person that, if the employment were placed under regulation, one of the several rules which it is suggested should be endorsed on a license to be required from the gang-master should be 'No girls to be permitted to enter high wet corn in weeding.'"

In my opinion, my Lords, no female at all should be engaged in this injurious and disgusting employment. To say nothing of the moral considerations involved, there is not a medical man who will not tell you that the most critical period of a woman's life is that between eleven and thirteen years of age. That is the time when a change in her constitution takes place, when maladies are most easily contracted, and when the female child requires to be watched with the most parental and minute care. Children at that tender age are nevertheless exposed, as we are told, to all the inclemencies of the seasons, with every malady that besets humanity, and yet no hand is stretched out to rescue them from their miserable condition. I shall next proceed to read to your Lordships the evidence of Dr. Morris, of Spalding, who says—

> "I have been in practice in the town of Spalding for twenty-five years, and during the greater portion of this time I have been medical officer to the Spalding Union infirmary. I am convinced that the gang system is the cause of much immorality. The evil in the system is the mixture of the sexes in the case of boys and girls of twelve to seventeen years of age under no proper control. The gangers, as you know, take the work of the farmers. Their custom is to pay their children once a week at some beer-house, and it is no uncommon thing for their children to be kept waiting at the place till eleven or twelve o'clock at night. At the infirmary many girls of fourteen years of age, and even girls of thirteen up to seventeen years of age, have been brought in pregnant to be confined there. The girls have acknowledged that their ruin has taken place in this gang work. The offence is committed in going or returning from their work. Girls and boys of this age go five, six, or even seven miles to work, walking in droves along the roads and by-lanes. I have myself witnessed gross indecencies between boys and girls of fourteen to sixteen years of age. I once saw a young girl insulted by some five or six boys on the road side. Other older persons were about twenty or thirty yards off, but they took no notice. The girl was calling out, which caused me to stop. I have also seen boys bathing in the brooks, and girls between thirteen and nineteen looking on from the bank."

I now come to the evidence of the Rev. Mr. Huntley, the rector of Binbrooke, who says—

"Turning to the moral side of the picture, all is blank. The benefits of education, which charity has provided, are thrown aside by the parent. The young being occupied in manual labour from morn till night, the village school is comparatively denuded of scholars. In room of moral and religious teaching, children are auditors of obscene and blasphemous language, while also exposed to the most profligate and debased examples; thus completing the first stage of ruin. Progressing from childhood to womanhood, the girl is brought up without experience in the management of domestic affairs, and it is no wonder that when the duties of servitude and married life are demanded of her she is ignorant of both. There is not one extensive occupier of land, nor one sober-minded person throughout my parish, who does not denounce the gangs as destructive to the morals of the poor."

Then we have the evidence of Mr. Richard Greenwood, a farmer, who tells us—

"I never employ a common gang. The common gang is very bad indeed. There is a reason for them when children can't be got otherwise, but I think that they could, if they tried, in many cases. I don't think that work is done much cheaper by the gang. I think the gang system is full of evil. There are great girls and boys of fourteen to fifteen years of age among them, and there is always something wrong going on. It does not matter who the ganger is; where there is a lot together, he has a control over them all. I have counted twenty to twenty-five in the gangs that come from Binbrooke. The only advantage to the farmer is that it saves him the trouble of seeking the children. Half the girls from Ludford have been ruined by going out. I think that farmers would not be at all losers by girls not going out to work at all."

That is the testimony of a man who farms 1,000 acres. But I now come to the evidence of some mothers whose opinions on this subject are entitled to the greatest weight. A very intelligent woman named Rachel Gibson says—

"I can't speak up for any gangs; they ought all to be done away with."

Most heartily I say "amen" to that.

"My children shan't go to one if I can help it —that is, as long as I and their father are alive, I hope, if we can keep them; one is seven, one five. I believe that I am the same as many other people about this. There are a great many mothers who send their children into gangs who would not if they could help it, and they say so. Nothing comes amiss to children after they have been in them, no bad talk nor anything else. I know that a child if brought up in a gang is quite different from what it would have been if brought up otherwise; you would soon know that it had been out, especially if you were talk to it. Gangs might be very well for boys, but never for girls. I did not go myself till I was seventeen, and could take care of myself. The coming home is the worst part, that's when the mischief is done. There never was any good got out of gangs, neither in talk nor in the other way, and they never will be kept as they should. I don't think it proper that womenkind should go into the fields at all, in gangs or not, though I have done both. There would then be more in the houses to mind them. Harvest work is different; you are not under a gangmaster, except that sometimes the tying has been done by a gang, and at harvest much more money can be made; a woman may make 2*s.* 3*d.* in a day, and that comes nice to any one. But other work is different. I should just have liked you to have met that gang coming back this afternoon, with their great thick boots and buskins on their legs, and petticoats pinned up; you might see the knees of some. A girl whom I took in to live because she has no home to go to came back to-day from the gang all dripping wet from the turnips. If you don't feel any hurt from the wet when you are young, you do afterwards, when you are old and the rheumatism comes on. Girls wear a pair of buskins to keep them from the wet. It is hard work when you have to wring the tops of turnips and mangolds up, and often makes blisters on the hands."

These are the views of another mother as to the working of the system—

"What I say is, these gangs should not be as they are. There are so many girls that they make lads at a loose hand—that is, leave them nothing to do. Then there is the girls coming home at dark; that is, when the job is done. The gangs are draughted off, two (that is, workers) here, three there, and so on, so that the gangmaster cannot look after them, and is not to blame. I have gone with twenty in a morning, and seen only two perhaps come home with the man at night. Then girls will have bad language among themselves, though the man might wish to stop it, but there are so many together, twenty or thirty perhaps, that he can't keep them quiet. I have worked in gangs many years. Sometimes the poor children are very illused by the gangmaster. One has used them horribly, kicking them, hitting them with fork handles, hurdle sticks, &c., and even knocking them down. These are not things to hit a child with. My own children have been dropped into across the loins and dropped right down, and if they don't know how to get up he has kicked them. I have many a time seen my own and other children knocked about by him in this way. It was not from drink; he was quite sober. Sometimes, too, they cannot work properly because their hands are cut all across and blistered where they twist the stalk round to pull up the root. Of course, he don't knock the big ones; it is the little ones he takes advantage of. I have heard him use to a child most awful words for a girl to hear. My boy, when about ten or eleven, had a white swelling on his knee and lay suffering nearly six years before he had his leg and thigh taken off, all but about as long as a finger. He came back one day and said he had a thorn, but others told me about the man kicking him. He was a very quiet boy, and was for peace. The doctor said it was from ill-usage, a fall or kick; there was no thorn."

I beg, in the next place, to call the attention of your Lordships to the sixth Report of the Medical Officer of the Privy Council, because he points out how serious is the effect produced on the mortality of the children by work such as that to which I am referring. The Report states—

"That in some entirely rural marsh districts the habitual mortality of young children is almost as great as in the most infanticidal of our manufacturing towns; that Wisbeach, for instance, is within a fraction as bad as Manchester; and that generally in the registration districts (eighteen others, which include several in which the gang system prevails) the death-rate of infants under one year of age is from two and a quarter to nearly three times as high as in the sixteen districts of England which have the lowest infantile mortality. The result of this new inquiry, however, has been to show that the monstrous infantine rate of the examined agricultural districts depends only on the fact that there has been introduced into these districts the influence which has already been recognised as enormously fatal to the infants of manufacturing populations — the influence of the employment of adult women."

It goes on to say the effect of the gang system is to increase the employment of females, adult as well as young. The consequences are thus described—

"The opinions of about seventy medical practitioners, with those of other gentlemen acquainted with the condition of the poor, were obtained. With wonderful accord the cause of the mortality was traced by nearly all these well-qualified witnesses to the bringing of the land under tillage — that is, to the cause which has banished malaria, and has substituted a fertile though unsightly garden for the winter marshes and summer pastures of fifty and 100 years ago. It was very generally thought that the infants no longer received any injury from soil, climate, or malarious influence, but that a more fatal enemy had been introduced by the employment of mothers in the field."

It is unnecessary to multiply instances of the evil consequences of this system, but I think I must give you the results of the employment of women in this way, as stated by the Rev. H. Mackenzie, rector of Tydd St. Mary's, who says—

"The causes of the gang system are the comparative cheapness of female and child labour. The effects of the employment of women in fieldwork are:—1. Loss of self-respect, and dirty and degraded habits. 2. Slovenly and slatternly households. 3. Alienation of husbands by the discomforts of home. 4. Neglect of the education of children. 5. Drinking habits among the men, and opium consumption among the women. The effects of the employment of girls in gang fieldwork are:—1. Boldness. 2. Ignorance. 3. Unchastity. 4. Want of cleanliness in work and person. 5. Incompetence in sewing, mending, cooking, and all that pertains to household economy. 6. Indifference to parental control. 7. Unwillingness to apply themselves to any regular mode of gaining a livelihood. Girls who have up to a certain time made good progress at school are materially injured in morals, discipline, knowledge, and regularity by going for two or three weeks to work in the fields. It will be a blessing to this neighbourhood if fieldwork for girls under age can be prohibited. This in a few years would abolish fieldwork for women altogether."

There is only one other extract with which I shall trouble your Lordships, showing how totally unnecessary it is to employ females in this manner, and that it is merely by indulgence in an old habit that the system is persevered in. This, my Lords, is described as the state of things at Eye, with a population of 2,430 persons, and where the property of Sir Edward Kerrison is situated—

"It will be seen that no females are employed on the gang system here. This is owing to the interest taken in it by Sir Edward Kerrison, who is owner of the greater part of the parish of Eye. It was entirely by his desire that girls were not employed in these gangs. The demoralizing effects were seen to be so great that for some years past only males have constituted the gang, and it certainly has worked admirably, for a distinct moral control is at the same time exercised over these lads by the instruction given to the master to check all obscene language and unbecoming behaviour, not only in their work, but if they are so ill-behaved either by language or manner when not in their work it is checked by special observation to the proper quarter, and the individual is admonished so as to let him know that he is not unobserved, and most probably he will find it much more to his own interest to behave in such a manner as may warrant those who have the power and influence to help him in after life. And all these poor people well know from practical experience that they have the kindest friends in Sir Edward and Lady Caroline Kerrison. Year after year young lads and young girls are looked after and helped out in their start in life, and assistance given in clothing and travelling expenses, where the parents require the help. This has an immense moral effect on the poor of the place and neighbourhood, coupled with the fact that the large landowner is a resident and taking personal interest in the welfare of the people."

That proves that the employment of females in these gangs is wholly unnecessary; and if their labour of this kind can be dispensed with in a district like Eye, it can be dispensed with anywhere.

Such, then, my Lords, in a very few words, is an outline of this system as described in the Report of the Commissioners, and of the mischief which it inflicts on a considerable portion of the population. I believe that a remedy might be easily and speedily applied to it. I regret very much to find from the report of the discussion in the other House that the Government think that no attempt at legislation can be made during the present year. I hold that when such a frightful state of things as this is found to exist it is incumbent on us to strive to correct it. I am myself disposed to undertake, immediately after the Easter recess, to move that your Lordships should adopt a Bill containing provisions which are almost certain to meet the requirements of the case. In the first place, I would proceed on the principles of the Factory and Colliery Acts. When in 1842 I introduced a Bill in the House of Commons to remove women from employment in the collieries of the United Kingdom, I was told that I should do no end of mischief by depriving women of their means of subsistence, and that I should be the cause of misery in many families. Nevertheless, I persisted, the Legislature adopted my proposal, and nothing but good has come of it. From that hour to this the condition of the colliery districts has been greatly improved in consequence of the non-employment of women in that disgusting and unsuitable labour. I shall propose by my Bill, immediately it passes, to exclude from these public gangs all women whatever under eighteen years of age. If I were to exclude women altogether, even above that age, as they are excluded from the collieries, I might be thought to be asking too much, as old habits cannot be got rid of all at once, and a little time might be necessary to find some substitute for the labour of women. But by removing all women under eighteen from these public gangs you would at once set at liberty 1,478 girls out of a population of 7,000. I speak now only of the public gangs. The private gangs are, it is true, the most numerous; but they are much more difficult to deal with than public gangs, comprising, as they often do, women and children living in the neighbourhood of a farm, and working under the superintendence of the farmer's son or of one of his labourers. I should reach them in another way, by clauses which would affect the whole agricultural population; because it is perfectly manifest that some measure relating to this matter must be brought in which will touch the whole agricultural population. The particular machinery of the Factory and Colliery Acts would be wholly inapplicable to agricultural industry; but, as I have said, I should propose to proceed upon the principles of those Acts. The main outlines, then, of the Bill which I desire to introduce would be as follows:—1. That no female under eighteen years of age shall be employed in any public gang of agricultural labourers. 2. That no child under eight years of age shall be employed for hire in field labour at all. 3. That after the 1st of January, 1869, no female under eleven years of age (I should like to say up to thirteen) shall be employed for hire in any field labour whatever. This will affect not only the private gangs, but the entire agricultural population of every county; exceptions, of course, to be allowed for harvest. I maintain that physically, morally, and economically such a provision as this will be most beneficial in its effects. Certainly the extensive employment of women and girls in fieldwork has tended more to degrade women and lower the rate of agricultural wages than the operation of almost any other causes whatsoever. Then I should next provide that no child between the ages of eight and thirteen shall be employed for hire in field labour, without producing to its employer, at times to be appointed, a certificate of its having attended school during the preceding intervals for a certain number of hours, calculated according to the most convenient arrangements, whether by half-time, alternate days, or by the system under the Print Works Act, of so many hours collectively, of education, in any assigned period, regard being had to the seasons of the year. I believe that the half-time and the alternate day system cannot be adopted in the agricultural districts; and I therefore suggest that what is required is the attendance of a child at school for a certain number of hours during a definite number of weeks or months. My Lords, in attempting to grapple with this evil I hope your Lordships will kindly give me your sympathy and support. In this way you will give the crowning stroke to the various efforts made for many years past to bring all the industrial occupations of the young and the defenceless under the protection of the law; and, whether they are employed in trade, in manufactures, or in any handicraft whatever, every child under a certain age will be subject only to a limited amount of labour, and will be certain to receive a certain amount of education. All that remains for your Lordships now to do, as representing the landowners of the Kingdom, is to embrace within the scope of your beneficent legislation the whole mass of the agricultural population. Then, I believe, we shall be enabled to say that no country upon earth surpasses us in the care we take of the physical, the moral, and the educational well-being of the myriads of our humbler fellow-creatures. I am quite sure, my Lords, that the object you have in view is one well worthy of all the time, the anxiety, the zeal, and the talents which can be bestowed upon it; and I am satisfied that your Lordships will earnestly desire to see it accomplished.

The Earl of KIMBERLEY said, that being connected with one of the districts in which the system that had been described by his noble Friend existed, he wished to express his thanks to him for having brought the subject before their Lordships. There was no place where it could be better discussed than in that House, where there were so many owners of land and persons practically conversant with agriculture. After the very full account given by his noble Friend of the state of demoralization which had been shown to exist in those parts of the country where the gang system prevailed, he would not trouble their Lordships with any detail; but, having for many years been acquainted with the course followed in these gangs and with the effects they produced in the districts where they were to be found, he did not think his noble Friend had said one word about them which was too strong. He could assure their Lordships that where the gang system had been introduced it had been the cause of the greatest mischief to the population concerned. The evil was one which he believed they ought to lose not a day in dealing with by legislation. He was therefore glad that his noble Friend was likely to introduce a Bill, because their Lordships would then have an opportunity of discussing the subject in a practical manner. He would not at that moment express any decided opinions with respect to the proposals; but he thought that his noble Friend scarcely went far enough in proposing that no girl under eleven years of age should be employed in field labour. For himself, he should be sincerely glad if a law could be framed to prevent girls from being employed in agricultural labour under thirteen years of age. It was desirable that boys intended for agricultural pursuits should be early accustomed to field labour, but he thought they ought not to be employed for hire under eight years. It was also desirable that there should be some provision for their education. The most difficult point in the scheme of his noble Friend would be to prevent women from being employed in public gangs under the age of eighteen. He did not mean to say that that would not be desirable; but considering the extent to which females were employed in some parts of the country, he doubted whether it would be practicable at once to adopt so decided a measure. Such were the evils attending these public gangs, that he was persuaded the farmers themselves would soon be glad that the Legislature had interfered for their suppression. It seemed to him desirable that some attention should be paid to the system of private gangs, and he was happy to learn that it was the intention of the Government to extend the inquiry to them. He would only add that, melancholy as the fact might be, there could be no doubt that, to a very considerable extent, the smallness of the wages received by agricultural labourers compelled them to employ their wives and children in work of that description; at all events, the element of wages could not be kept altogether out of view. Fortunately, it happened that the wages of agricultural labourers were at the present moment on the rise, and the moment was therefore favourable for legislation. He trusted that his noble Friend would bring in his Bill as soon after Easter as possible.

The Earl of BELMORE thought that the noble Earl deserved the thanks of their Lordships for bringing this matter before them. The disclosures made in the former Reports of the Commissioners were painful enough; but those contained in the sixth Report were more painful still, because they established the great demoralization produced by this system, and more especially among the young girls employed in this sort of labour. One of the Commissioners, however, in his Report, remarking on the influence of out of door employment on the physical condition of the women and young persons, stated that, working as they did in the fresh air, their appearance was generally satisfactory, and that some of the young women were exceedingly healthy and muscular. His noble Friend had stated that immediately after he would introduce a Bill dealing with the subject:—he (the Earl of Belmore) need hardly say that Her Majesty's Government would give their best consideration to any measure having that object. The noble Earl had expressed his regret that the Secretary for the Home Department had stated in "another place" that he could not undertake to deal with the question during the present Session of Parliament. But in pronouncing a judgment upon that announcement of his right hon. Friend it was necessary to remember the great difficulties by which the subject was surrounded. If they were to deal solely with public gangs the result would be that many of those employed in them would join the private gangs; and if they were to extend their legislation to private gangs it would be very difficult to define where the system began and where it ended. His right hon. Friend, feeling these difficulties, did not see his way at present to the introduction of a Bill upon that subject; but, as it was desirable that further inquiry should take place, he proposed almost immediately to reappoint the Commission, and they might then hope to be able, in the course of a year or two, to deal in a satisfactory manner with the whole question of agricultural labour.

The Earl of SHAFTESBURY said, that in the measure which he hoped to introduce he should endeavour to meet the case of private as well as public gangs.

PRIVATE BILLS.

Resolved, That Standing Order 179. Sects. 1. and 2. be suspended; and that the Time for depositing Petitions praying to be heard against Private Bills, which would otherwise expire during the Adjournment of the House, be extended to the Second Day on which the House shall sit after the Recess at Easter.

House adjourned at half past Seven o'clock, till To-morrow, a quarter before Four o'clock.

HOUSE OF COMMONS,

Thursday, April 11, 1867.

MINUTES.]—Select Committee—On Railways *appointed.*

Public Bills—*Ordered*—Local Government Supplemental *; Railways (Scotland).*

First Reading — Local Government Supplemental * [121]; Railways (Scotland) * [122].

Committee — Representation of the People [79] [R.P.]

Considered as amended—Offices and Oaths [7]; Transubstantiation, &c. Declaration Abolition * [6].

Third Reading—Fortifications (Provision for Expenses) * 104); Public Libraries (Scotland) Acts Amendment * [92], and *passed.*

CASE OF MR. CHURCHWARD. QUESTION.

Mr. Serjeant GASELEE said, he would beg to ask the Secretary of State for the Home Department, Whether the Lord Chancellor has yet revoked the appointment of Mr. Churchward as a Magistrate of Dover?

Mr. SPEAKER: I understand the hon. and learned Member only means to give notice of his Question.

Mr. Serjeant GASELEE: I rise to give notice that I shall move for all copies of the recommendations to the Lord Chancellor upon which Mr. Churchward was appointed a Magistrate; and also move for copies of all Correspondence between the Lord Chancellor and Mr. Churchward since his appointment.

THE IMAUM OF MUSCAT.—QUESTION.

Sir FOWELL BUXTON said, he would beg to ask the Secretary of State for Foreign Affairs, If the treaty with the Imaum of Muscat, concluded 10th September 1822, is considered to be in force so far as it relates to the territories of the Sultan of Zanzibar, now that his dominions are independent of Muscat?

Lord STANLEY, in reply, said, the treaty with the Imaum of Muscat of September 10, 1822, and subsequently confirmed in 1839, having two years ago been referred for the advice of the Law Officers of the Crown, the question had been decided by the then Government in the affirmative.

JUVENILE LABOUR IN PRINTWORKS. QUESTION.

Mr. WILBRAHAM EGERTON said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the last Report of the Inspector of Factories, stating that in Printworks children of eight years of age and under thirteen, and females above thirteen, may be and sometimes are employed from 6 a.m. to 10 p.m., and, if so required, without any interval; and boys above thirteen may be employed for twenty-four hours without any interval; and, if so, whether he intends to introduce into the Factory Act Extension Bill any Clauses to modify the hours of labour under the Printworks Act?

Mr. WALPOLE said, in reply, that some communications had been made to the Home Office from the inspectors of factories, with reference to juvenile labour in printworks. He proposed to consider whether a Bill could not be introduced for the purpose of regulation with regard to these works.

INTERNATIONAL CURRENCY CONFERENCE.—QUESTION.

Mr. W. E. FORSTER said, he would beg to ask the Secretary of State for

Foreign Affairs, Whether he has received a request from the Government of France to send a Delegate to represent England at the International Currency Conference to be held at Paris next May; and, if so, what reply he has sent to such request; and, whether he is aware that most of the European Governments, and the United States of America, have undertaken to send Delegates to such Conference?

LORD STANLEY, in reply, said, Her Majesty's Government had received a request from the French Government to send a delegate to represent England at the International Currency Conference in Paris, and that morning a reply was sent to that request. It was to the effect that the Master of the Mint would be empowered to attend the Conference to give any information in his power or take part in any discussion that may take place; but he will not be authorized to bind the Government to any conclusions at which the Conference may arrive.

THE CATTLE PLAGUE.—QUESTION.

COLONEL LESLIE said, he rose to ask the Chief Secretary for Ireland, Whether the importation of sheep into Ireland from Scotland might again be permitted, as the cattle disease has now for some time disappeared in Scotland?

LORD NAAS said, he thought the time had now come when it might be possible to consider the question as to whether the restrictions that had existed so long in regard to sheep in the United Kingdom might not, to a certain extent, be relaxed. He had directed certain inquiries to be made in the matter, and he hoped in a few days to acquaint his hon. and gallant Friend with the result.

REPRESENTATION OF THE PEOPLE BILL—COMPOUND HOUSEHOLDERS.

QUESTION.

MR. WARNER said, he would beg to ask Mr. Chancellor of the Exchequer, Whether in the case of a compound occupier who may have claimed to be rated under the provisions of the Representation of the People Bill, paid a rate, and been placed on the Register, it is intended that the composition shall be treated as continuing, or shall be considered to have ceased, as affecting the liability of the landlord to a future rate in the tenant's default, or in the event of a vacancy in the occupation; upon the former supposition, to ask upon what principle such tenant is required to pay the full rate, in apparent contradiction of the law which sanctions a reduced rate where there is a guarantee from the landlord; upon the latter supposition, to ask upon what principle the tenant is allowed to deduct from his rent the composition rate only, the landlord having been relieved from the guarantee on condition of which such composition rate was substituted for the full rate; and, whether it is not the fact that, in the one case a larger amount of rate would be payable on the tenement than the law now contemplates, and in the other the landlord would be relieved of part of the charge upon his property without being required to fulfil the conditions under which such relief is now allowed?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Notice of the hon. Gentleman is rather peculiar. It partakes more of the character of a treatise than of a Question. It asks certainly in the first place for information; and I am bound, always in reply to these inquiries, to give the best information I can. But it then proceeds to two alternatives, then to the discussion of two principles, and finally to a very argumentative conclusion. Now I admire the condensed power of expression which has permitted the hon. Gentleman to lay his views before the House even in the comparatively short form in which it appears upon the Paper; but I have not that confidence in myself that I feel I could do justice to the Question in the space which the patience of the House would permit. The hon. Gentleman has opened up a question which may lead to an important debate, and one which awaits the consideration of the House at the present moment. As regards the information he requires, I would refer the hon. Gentleman to the 7th section of the clause I last put on the paper, with respect to compound-householders. All the information I have on that subject is contained in that 7th section. With regard to the alternative principles and conclusion, I will take the most convenient opportunity offered me to enter into the questions which the hon. Gentleman has opened.

ARMY—ARTILLERY—CHILLED SHOT.

QUESTION.

MR. HENRY BAILLIE said, he would beg to ask the Secretary of State for War, Whether it is true that shot have been cast in sand at Woolwich without being chilled, which were brought into competition with Major Palliser's projectiles, and which gave precisely the same results as though they had been cast in chill?

Sir JOHN PAKINGTON: It is true, Sir, that shot has been cast in sand at Woolwich without being chilled, and have great penetrating power; but as to the results, I am not at present able to state them. As to economy of manufacture, I am given to understand that the chilled iron has decidedly the advantage.

FEES OF RETURNING OFFICERS.

QUESTION.

Mr. KEKEWICH said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he proposes to introduce a clause into the Reform Bill, for the purposes of making uniform the various fees now payable by candidates to the returning and other officers who shall hereafter be specified, and whether he proposes to make the payment of conveyance to the poll illegal?

The CHANCELLOR of the EXCHEQUER: Sir, I have to state, in answer to my hon. Friend, that experience has made me very chary of interfering with returning officers or any other body of individuals; but with reference to making the payment of conveyance to the poll illegal, I may say it is intended so greatly to multiply places of polling so that I hope that would be perfectly unnecessary, and that no such expenses need be incurred.

IRELAND—VOTING PAPERS.

QUESTION.

Mr. REARDEN said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is the intention of Her Majesty's Government to introduce a Bill this Session for the amendment of the Representation of the People of Ireland; and, if so, whether the Clause in reference to Voting Papers, contained in the Bill for the Representation of the People of England, be omitted in the Bill intended for Ireland?

The CHANCELLOR of the EXCHEQUER: Sir, I have already stated, in reply to several Gentlemen connected with Ireland, that it is the intention of the Government to introduce a Bill for the amendment of the Representation of the People of Ireland; and, with regard to the latter part of the inquiry, whether that Bill will contain a clause in reference to voting papers, I believe there is a very general feeling in Ireland that a clause of that character should be inserted in the Bill.

OUR RELATIONS WITH SPAIN.

QUESTION.

Mr. OSBORNE said, he would beg to ask the Secretary of State for Foreign Affairs, If he is able to state, without injury to the Public Service, the actual position of our relations with Spain?

Lord STANLEY: Sir, the House is aware that there are, unfortunately, two questions now pending between the British Government and that of Spain. With regard to one of these questions, that of the *Tornado*, I have received from the Spanish Government a further communication. I cannot say it is altogether satisfactory; but, at the same time, I do not look upon it as necessarily final or conclusive. That communication is now under the consideration of Her Majesty's Government. With reference to the second and more pressing case of the *Victoria*, I regret to say that I am not in a position to give any further information to the House. I have not received any reply of any kind from the Spanish Government on that subject.

METROPOLIS—BUCKINGHAM PALACE GARDENS.—QUESTION.

Mr. OWEN STANLEY said, he wished to ask the First Commissioner of Works, If the footpath outside the Buckingham Palace Gardens, from the Palace towards the lower end of Grosvenor Place, belongs to the Crown, and, if so, why the path is not kept flagged instead of being a muddy and narrow path during wet weather; and, if the First Commissioner will undertake to have it kept in proper order for foot passengers?

Lord JOHN MANNERS said, he apprehended that any question on this subject should be addressed not to the Office of Works, but to the parochial authorities who were intrusted with powers of lighting and paving.

REPRESENTATION OF THE PEOPLE BILL—THE HUNDREDS OF OFFLOW.

QUESTION.

Mr. FOLEY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, there being no division of the Two Hundreds of Offlow in the Census Tables, the proposed division of East Staffordshire includes the whole of Offlow and not South Offlow only, as stated in the Bill for the Representation of the People; and what the estimated population of East Staffordshire will be, exclusive of the present and proposed boroughs?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the hon. Gentleman is doubtless aware that the boundaries which are traced in the Representation of the People Bill are what are called in the old Act of 1832 "temporary boundaries," and do not constitute any permanent arrangement. Our intention is, as the Bill denotes, to propose the names of some very distinguished and eminent persons to the House of Commons who shall be appointed Commissioners of Boundaries, and who shall have power to appoint sub-Commissioners to inquire into and to determine what shall and what shall not be included in the new boundaries. But it was necessary, under the existing circumstances, that these temporary boundaries should be inserted in the Bill. Since the Notice of the hon. Member has been placed upon the Paper I have received information from those who are cognizant of the circumstances, and I find that there has been some inaccurate statement with regard to the Hundreds of Offlow. I find that the whole of Offlow will be included within the division of East Staffordshire. With regard to the population of East Staffordshire, after deducting the inhabitants of the present and proposed boroughs, I think it will be something about 90,000.

BRIDGES (IRELAND) BILL.—QUESTION.

MR. ESMONDE said, he rose to ask the Secretary to the Treasury, Whether he will lay the Amendments to the Bridges (Ireland) Bill, of which he has given notice, relative to the Youghal Bridge, upon the table before the Easter recess?

MR. HUNT said, in reply, that he hoped to be able to lay the Amendments on the table on Friday night. The Act relative to the Youghal Bridge was drawn as a separate Bill, and it would require some care in shaping the clauses before a general Bill was introduced, which he hoped would be the case soon; but the Bill could hardly be proceeded with till after Easter.

IRELAND—CASE OF REV. MR. MAGINN.

QUESTION.

MR. WHALLEY said, he wished to ask the Chief Secretary for Ireland, with reference to the case of Priest Maginn, What if any further information he has obtained as to his refusal to give evidence on the inquiry relating to the affray in which Police Constable Duggan was shot; also, with reference to the statement of Mr. Justice Keogh, imputing misconduct to magistrates and other parties, whether he has communicated with the Lord Chancellor of Ireland thereon; and, with reference "to the full and impartial inquiry, with every facility for all parties to take part, and to adduce any evidence likely to throw light upon the transaction," as promised on the part of the Government by the Chief Secretary, whether facilities will be afforded for ascertaining if it was one of the objects of the Fenian conspiracy "to wade in the blood of Orangemen and heretics who do not join us and become one of ourselves," and inquiring into the authenticity of the alleged Fenian oath as published in newspapers; first in Canada, and subsequently in this country?

LORD NAAS: In reply, Sir, to the Question of the hon. Member for Peterborough, I have to state that, since I answered the Question put to me by him the other evening, some fresh information upon this subject has reached me, and I find that, although there was no formal inquiry into the circumstances of the affray to which he refers, what did really happen was this:—The magistrates having taken the usual steps to obtain informations with regard to the occurrence which had taken place, the Reverend Mr. Maginn attended the place where these informations were being taken, and he was asked to swear an information. I think the best answer I can give to the hon. Gentleman's Question is to read the copy of the note taken by the magistrates upon the occasion, which was afterwards forwarded to me by the Inspector of Police who attended on the occasion—

> "The Reverend Thomas Maginn thus concludes his evidence; he says 'that he acted in the capacity of priest, that he had nothing to say further than that which he had stated before, and that if he were then examined further it would tend to lessen his influence; that he had already exposed his life in his endeavours to preserve the peace, and that he was willing to do so again, and that every priest in the county of Kerry was willing to do the same.'"

In consequence of that statement the reverend gentleman was not sworn, and did not make any information. With regard to the second Question of the hon. Member, I have to state that the Lord Chancellor of Ireland has communicated the nature of the observations of Mr. Justice Keogh to the magistrates to whom they referred, and that, of course, any further steps that the Lord Chancellor may think necessary to take will be guided very much by the nature of the reply to those observations which the magistrates may make. With regard to the latter part of the hon. Gentleman's Question, I have only to say that I cannot conceive that the nature of the Fenian oath can in any way become a portion of any inquiry which may be instituted with regard to the conduct of those magistrates.

Major KNOX said, he wished to know, whether the noble Lord had any objection to lay the Report of Mr. Justice Keogh upon the table of the House?

Lord NAAS: It is impossible, in the present state of the case, to lay that document on the table.

Mr. WHALLEY said, he wished to ask, if the noble Lord had any objection to lay a Copy of the Informations upon the table?

Lord NAAS: I shall have no objection to lay on the table a copy of the informations taken before the magistrates.

AGRICULTURE OF AUSTRIA AND DENMARK.—QUESTION.

Mr. HOLLAND said, he would beg to ask the Secretary of State for Foreign Affairs, When Professor Wilson's Reports on the Agriculture of Austria and Denmark will be issued?

Lord STANLEY said, in reply, that the Reports would be ready in a few days.

CORRUPT PRACTICES AT ELECTIONS BILL.—QUESTION.

Sir GEORGE GREY said, he wished to ask Mr. Chancellor of the Exchequer, Whether he intends to proceed with the Bill that evening? The provisions of the Bill would require very careful consideration before they received the sanction of the House, and must give rise to a lengthened discussion. Under these circumstances, he scarcely thought that the right hon. Gentleman really intended to move the second reading of the Bill that night.

The CHANCELLOR of the EXCHEQUER: Sir, as far as this Bill is concerned, my only object is to consult the convenience of the House, and I am anxious that its provisions shall be fully discussed. I believe that in bringing forward the Bill to-night I was only fulfilling a personal pledge. It would be rather inconvenient for me to fix any particular day after the holydays for bringing it forward.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[Bill 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Lord Stanley.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. HIBBERT: I wish to ask the Chancellor of the Exchequer a question with reference to the Amendment of which I have given notice upon the 3rd clause of the Reform Bill, which refers to the rights of compound-householders. My proposition is to give to the compound-householders every facility to acquire votes by enabling them to place their names upon the register on paying or tendering the amount of the composition rate upon their houses. I wish to ask the Chancellor of the Exchequer, whether the Government are prepared to accede to that proposition? The course I shall take with regard to the Reform Bill will be very materially influenced by the answer which the right hon. Gentleman may give to my question.

The CHANCELLOR of the EXCHEQUER: I think the hon. Gentleman must see that it would be exceedingly inconvenient for me to give an immediate answer to the question he has put to me. I myself have placed several Amendments upon the paper with regard to the rights of compound-householders. The question in connection with the compound-householders is one of great difficulty; but, at the same time, it is one for fair discussion. If hon. Gentlemen wish to bring forward any propositions upon this point, I shall be very happy to hear any suggestions that may be made, and as long as those propositions are consistent with the principles of the measure we have brought forward—namely, the principles of personal payment of rates and of adequate residence—I shall listen to them with very great attention. The right hon. Member for Oxfordshire (Mr. Henley) the other night indicated some views upon this subject, which, coming from such a quarter, will command my utmost attention. The hon. Gentleman, however, will perceive that, at the present moment, it is quite impossible for me to give any definite answer to the question he has put to me. The subject is one which is well worthy of discussion; and as long as they are not inconsistent with the principles to which I have referred as being vital to the Bill, any suggestions that may be made with regard to compound-householders will be fairly considered by us.

EARL GROSVENOR: I rise, Sir, to put a question to the Chancellor of the Exchequer, and, to put myself in order, I intend to conclude my observations by moving the adjournment of the House. We all know that there is a general feeling on both sides of the House that this question of Reform should be settled, and that we should not only pass a Reform Bill during the present Session, but that we should pass a Reform Bill which will have every probability of being a lasting one. And I understand there is a feeling, shared by Members on both sides of the House, that in order to arrive at such a settlement it would be advisable that the further progress of the Reform Bill should be postponed until after the Easter holydays. ["No, no!"] There are two sets of Amendments affecting the Bill upon the Notice Paper—those of the hon. Member for Westminster (Mr. Stuart Mill), and those which are proposed by the right hon. Member for South Lancashire (Mr. Gladstone)—which involve points which will give rise to very considerable discussion. If hon. Members who have Motions on the paper for to-morrow will not give way, the practical result will be that we shall only have to-night in which to discuss this great question. I therefore appeal to the right hon. Gentleman to say whether he thinks that we are likely to arrive at a satisfactory settlement of this question after a debate of one night only, and whether he does not think it would be better to adjourn the further progress of the Bill until after the Easter recess. [*Renewed cries of* "No, no!"] I believe that if the consideration of the question were postponed for a short time, there would be much greater likelihood of some arrangement being arrived at during the recess. The notices given are extremely numerous, and if time were given some satisfactory compromise might be arrived at. I therefore appeal to the right hon. Gentleman to postpone the further progress of the Bill until after the Easter recess.

Motion made, and Question proposed, "That this House do now adjourn."—(*Earl Grosvenor.*)

COLONEL WILSON PATTEN: I am not aware what the feeling of the House is generally; but, in corroboration of the remark of the noble Lord, I do know certainly that some hon. Members do not think that it would be desirable to enter into a discussion of the Reform Bill in Committee at the present time. The noble Lord who has just sat down has said justly that the greatest possible anxiety is demonstrated on both sides of the House to arrive at a satisfactory settlement of this question, and I do think that no obstacle of any trifling kind should be allowed to come in the way of that settlement. But I think it would be a great chance that it would become a very great obstacle to this settlement, if we should commence the debate and not be able to finish any branch of it before the holydays. I have no feeling myself upon the matter; but I know that many hon. Members are sincerely anxious to give every opportunity for the two sides of the House to come together upon one or two questions which are not very difficult of adjustment, and I think that there would be much greater facility for carrying out this desire if we postponed the debate.

MR. AYRTON: I think that it is quite impossible for the right hon. Gentleman opposite (the Chancellor of the Exchequer) to misunderstand the feeling with which this side of the House is actuated, for that feeling has been expressed in a very distinct and audible manner that we ought at once to proceed. If there be any wish in the House not to proceed, undoubtedly the right hon. Gentleman must feel that if silence gives consent the question raised by the noble Lord (Earl Grosvenor) has created great indisposition in hon. Gentlemen opposite to proceed; but I fully believe that that feeling is not shared by those who sit here, and who have shown, from the commencement, an anxious desire to have this question settled as soon as possible. It has been suggested that if we do nothing at all we shall contribute much to a settlement; but I myself cannot conceive anything so likely to settle the question as a good practical debate in this House. The question of Reform cannot arrive at a settlement until it has been discussed with a view of arriving at a conclusion upon the main points to be secured; and I am convinced that nothing will so much contribute to a settlement as that we should discuss and decide upon the question raised by the Amendment of the right hon. Member for South Lancashire. I am quite sure that the hon. Member for Westminster (Mr. Stuart Mill) will not ask us previously to discuss the Motion which he intends to submit, and that he will not interpose his Amendment so that we cannot proceed to discuss the right hon. Gentleman's Amendment. But there are also very strong reasons why we should proceed at once; for if we adjourn for the holydays without doing so the Session will have half expired before we resume; and is it to go forth to the country that this period has been arrived at without one single point in the Reform Bill having been disposed of or even debated seriously? I believe that nothing could be so disastrous as the knowledge that half the Session had expired without our having taken any earnest step in the progress of this great subject. I think that it would be most unfortunate if we should separate without the people having the moral assurance that Parliament intends to proceed with the question of Reform. If the Chancellor of the Exchequer accedes to the proposition of the noble Lord it will raise but one feeling throughout the country—that we had only entered on this question for the purpose of burking it. I hope that the Government will fulfill the engagements repeatedly made, that they would proceed as early as possible to the solution of the question. I need not remind the right hon. Gentleman of his promise to proceed *de die in diem;* and are we to be told that there is anything very serious to-morrow to prevent us proceeding? I should like to know what it is; it is one of those shadows that are thrown up occasionally when the House wishes to do nothing. The question to-night is one of a narrow character, and I believe we can come to a conclusion upon it. If hon. Gentlemen opposite should be determined to prolong the debate I believe that we can go on with it to-morrow, and can then sit until we come to a conclusion. If hon. Members are really desirous to redeem the character of the House in the eyes of the country, there ought to be no separation for the holydays until the Amendment of the right hon. Member for South Lancashire has been disposed of.

Mr. BAILLIE COCHRANE: I think that I ought not to be misunderstood. The noble Lord (Earl Grosvenor) has referred to those Gentlemen who have Notices on the paper, and to-morrow I stand first with a Notice in reference to despatches which have passed between the British Government and the Spanish Government. The House will do me the justice to say that during the long period that I have been a Member I have never once interposed against the wish of the House on any one occasion. But I must say this—the hon. Member (Mr. Ayrton) has said that ill-feeling will arise in the country if we do not come to a decision in reference to the Reform Bill before the House breaks up; but I consider that it would be most unfortunate if a question so important as that which will be raised on my Motion should not be fairly and fully discussed previous to the holydays. ["Oh, oh!"] Some hon. Gentlemen may differ with me; but I entertain that opinion so fully that I must proceed with it. Will the House do me the justice to see that I put the Notice upon the paper a week ago, and before there was any notion that the question of Reform would come before us in this form? I think it most important that the House should support the Government by expressing its opinion upon this important question before the holydays; and I must therefore state in answer to the hon. Member, but with the greatest respect to the House, that I must firmly decline to give way.

Mr. GLADSTONE: It appears to me, I confess, that my noble Friend the Member for Chester (Earl Grosvenor) has made a proposition which, though well-intentioned, is not well-timed. Let us consider how the matter stands. We are now approaching the middle of April; and if this adjournment be agreed to, three months of the Session will have expired before we shall be able to resume this question. There is a universal sense of the necessity of despatch. On account of that necessity of despatch ordinary modes of procedure have been departed from; and if my noble Friend's proposition is acceded to, three months will have passed before the first practical step has been achieved. I trust we may be allowed to proceed at once. My noble Friend urges impediments; but only one question, as far as I know, stands upon the paper before the subject of personal rating, and with regard to that question I believe I am right in saying that my hon. Friend the Member for Westminster (Mr. Stuart Mill), though very anxious to enter upon the discussion of the Amendment of which he has given notice, is not unwilling to postpone its consideration, if he finds such a postponement to be the wish of the House. With regard to the question of proceeding to-morrow, I understand that a noble Friend of mine who in "another place" expressed his wish to enter upon a discussion of our relations with Spain was formally requested by the Government, and no doubt with reason, to postpone his Motion. The noble Lord the Foreign Secretary has also answered several questions; and from those answers, undoubtedly, the inference would arise—and I have no further knowledge on the subject myself—that Her Majesty's Government are not prepared to enter into such a discussion, and do not consider that it would be advantageous to the public service. My hon. Friend the Member for Honiton (Mr. Baillie Cochrane) will scarcely be determined to force on such a discussion irrespective of the views of the Government on matters with regard to its policy and prudence? If, however, my hon. Friend is determined to force on such a discussion, he will, I think, find that he has a difficult task in hand. But I am bound to say that it depends upon the decision of the House whether to proceed with the discussion of the Reform question; because the law of adjournment on the Friday, nine days before Easter, is not an irremovable impediment. The question is whether the impression is or is not to be conveyed to the minds of the people of this country that the House is in earnest upon this subject. Ready as we are, after many delays and after many changes, to enter upon the discussion of a point which goes, as we know, almost to the heart of the most important portion of the Bill, it appears to me that the House will subject itself to very grave and serious imputations if we allow this matter to stand over in preference to sacrificing a day, or even two or three days, at our own personal inconvenience. We ought not therefore to postpone for about three weeks that which the public believe has already been too long postponed.

Mr. CLAY: I do not altogether agree either with what has been proposed by the hon. Member for the Tower Hamlets (Mr. Ayrton) nor with the course recommended by the right hon. Gentleman the Member for South Lancashire; but I think that it would be very undesirable that the right hon. Gentleman the Chancellor of the Exchequer should not, under any circumstances, be allowed to proceed with the Bribery Bill to-night. Upon the intimation which he gave, and considering the Bribery Bill to be part and parcel of the work of Reform—and although a separate Bill, it was originally part of the Reform Bill—I should think that we should be showing our earnestness by taking the second reading of that Bill to-night. It was in our hands this morning; and it is a very short Bill, and an extremely intelligible one; and I have read it through, and came perfectly prepared to discuss the second reading to-night. I have mentioned this because there are disquieting rumours in the air of a dissolution; and very many Gentlemen consider that this would be a very bad time for a dissolution, for reasons drawn as much from foreign as from home policy. I have not as yet heard of a good time for this particular result; but, however that may be, I should look upon it as little less than a national misfortune to send us to the country without having first passed a stringent Act for the more effectual suppression of bribery and corruption; and with that impression I earnestly entreat the Chancellor of the Exchequer to urge forward as speedily as possible some measure that would have the effect of protecting the voter in the exercise of the franchise.

Mr. J. STUART MILL: Sir, I confess I attach the highest importance to the Amendment which stands on the paper in my name. Nevertheless, I shall waive my right to proceed with it now, entertaining as I do a confident hope that the House, on both sides of which that proposition has most distinguished supporters and sympathizers, will with one consent allow me at some early period an opportunity for a full discussion upon a proposal which I can assure hon. Gentlemen is a most serious one, and is becoming every day more serious from the number as well as the quality of its supporters. I should not for a moment think of interposing this Motion in the way of anything so important as the Amendment of my right hon. Friend the Member for South Lancashire, upon which the House is desirous, no doubt, of coming to a decisive judgment before we either adjourn or are dissolved. I am sure that the House is not so eager for its own amusement as not to be willing, if necessary, to sit through a part of next week. To think that the House would rather leave the question as it is than submit to this minute sacrifice of its pleasure or recreation would be so disgraceful to its character, that I cannot think of entertaining so uncourteous a supposition.

Mr. HENLEY: Sir, I think the point we ought to apply ourselves to is, whether the Motion of the noble Lord will or will not help us forward in settling this great question. We must consider the position in which we have been placed during the last four or five days. In the beginning of the week a Motion was before the House at the instance of the hon. and learned Gentleman the Member for Exeter (Mr. Coleridge), which would have raised the definite issue by which the House would have decided whether it meant to deal with this great and difficult subject by means of a household suffrage, with a fixed limit, without saying what that limit was, or by the plan of the Government having no limit. Now, whether we take the one or the other of these plans, both sides of the House must lend their assistance to work it out in a manner the most satisfactory to the country. I do not think any one can controvert that proposition. That proposition of the hon. and learned Member for Exeter was, however, suddenly withdrawn from us. Whatever the issue might have been upon it, we could have ascertained the feeling of the House upon which principle, if I may say so, we were to proceed. But that is not all; the right hon. Gentleman the Member for South Lancashire has varied his Amendments as to their position and character so much from day to day, that we are not able to consider or know what are actually the issues we are invited to try. But that is not all. No man can say, now that this particular point is to be submitted to us by the right hon. Gentleman the Member for South Lancashire—the hon. Member for Westminster having, as I understand, withdrawn his Amendment—what bearing this issue of the question as to the payment of the personal rates will have upon the one plan or the other. Therefore, if we occupy the whole of this night, and perhaps have an adjourned debate, shall we be really making any progress? I put this fairly to hon. Members on either side of the House. The noble Lord said truly that in the recess compromises might take place—or, if that is not a proper word, an interchange of opinions. But, more than that—it may be that some proposal or some Amendment may be first raised which shall enable the House to decide whether we ought to go upon the principle of a fixed limit, or whether we are to go upon the plan of the Government—because until that point is decided, I do not see how we are to help each other in adjusting the different clauses of the Bill upon that particular question. That is the difficulty I feel as to proceeding with the discussion of the Bill to-night. I believe that we shall have a considerable debate which will probably lead to no division; I therefore do not think we shall be gaining ground. I do not believe there is any man in this House, upon whichever side he sits, who has a stronger feeling than I have of the necessity, if possible, of settling this question. I do not believe there is any man in this House who has a stronger opinion than I have of the great necessity which exists for an enlargement of the electoral franchise. But I believe it must be done, and can only be done, by a distinct understanding that the House should settle in the first instance what is the principle they mean to stand upon—whether it be a fixed limit or not—because upon the decision on those two points must depend the opinion that is to be given on all those other Amendments which stand upon the paper. Otherwise we shall have cross debates, and cross voting perhaps, upon particular points in respect to which men will not know exactly what they are about. That is the feeling I have upon the question submitted to us, and, so far as my voice goes, I shall support the adjournment.

Mr. OSBORNE: The House has become so accustomed to these surprises—to this perpetual springing of mines—I verily believe the whole of the ground below the gangway here is mined—I hope that our position will be well understood before we engage ourselves in considering whether we shall again stultify ourselves by following the noble Lord. I can well understand the right hon. Gentleman and his Colleagues on the other side of the House, who are, I believe, in collusion with the noble Lord. But what do we owe to the noble Lord that we should adopt his suggestion? The noble Lord last year helped to throw out the Government Bill; the noble Lord, doubtless under the rose, wishes, by compromises with his Friends on the other side of the House, to make this as mild a Bill as he possibly can. I implore the House not to appear before the country in the disgraceful position they would occupy if they listen to the insidious proposition of the noble Lord backed by the two hon. Gentlemen on the opposite side of the House. What is the meaning of a compromise? Have we not read in the papers of the last two days that the Chancellor of the Exchequer, flushed with the converts he has made upon this side of the House, has declared that he will accept none of your Amendments? We all know that since the right hon. Gentleman has chosen deliberately to put that letter to his supporters in the papers, he is not likely to withdraw from it; and I will not do him the injustice to think, even though he be earwigged by the right hon. Gentleman the Member for Oxfordshire during the recess, that he will depart from that which he has laid down. Sir, there is no chance of a compromise, and I hope this question will be fairly fought out, and that we shall win over the false Reformers. Those who are real Reformers still wish to push this Bill forward a stage by discussing it to-night; those who are represented by *The Day* newspayer will wish to put off the question until after Easter, until what they call "a more convenient season." I implore all those who represent constituencies, and who wish to stand well with those constituencies [*Laughter*], to insist on the immediate consideration of the Bill. I can imagine that those hon. Gentlemen on that side of the House, with their small laughs, have no constituency. Do not forget that the Chancellor of the Exchequer has told his supporters that he will abandon his Bill if any improvement is made in it. ["No, no!"] I can well understand the wish of certain hon. Members to gain time—to put off as far as possible the evil day—but I do not understand any man professing to call himself a Reformer voting with the noble Lord (Earl Grosvenor), the man who has done more than any person in the House to cut off all idea of Reform.

LORD ELCHO: The hon. Gentleman who has just sat down says he can understand why my noble Friend wishes to postpone the question of Reform. I think I can equally well understand why the hon. Gentleman and his friends wishes to force this question on. Notice of an Instruction was given the other day which was undoubtedly intended to produce one of two effects—either to force the Government to eat their leek, if I may say so, or to transfer Gentlemen who sit on the front Benches on this side of the House to the front Benches on the other. I am one of those who last year endeavoured with my noble Friend ["Hear, hear!"]—I am not ashamed to own that I endeavoured with my noble Friend to prevent the Government measure passing. I never attempted to disguise the fact; I spoke as openly last year as I believe I always do. I helped to secure the rejection of that Bill because I did not think it was founded upon sound principles, or was likely to effect a settlement of the question; and I objected also to the way in which it was attempted to force that Bill down our throats whether we liked it or not. As a Member of Parliament, I objected to that. But if I was anxious last year that the Bill should not pass, I am equally anxious this year that the question should be settled. I have never been opposed to Reform. ["Oh, oh!"] Hon. Gentlemen may groan; but I invite them to look through the pages of *Hansard,* and point out one single passage in any speech of mine that says I am opposed to Reform. [*Cheers.*] I voted for the Bill of 1859. But these are personal matters, and I set them aside. I repeat I am anxious to see this question settled in the present Session of Parliament, and I am further anxious to see it settled without a change of Government. If possible, I am anxious to see it settled without a dissolution, because I believe it would be prejudicial to the best interests of this country that we should have a dissolution with this question of Reform unsettled. My noble Friend the Member for Chester, I know, shares in these views—or rather I share in his. And he has had the manliness to come forward this evening and to state that he believes this settlement is more likely to be effected by the course which he suggests than by forcing on this discussion as the right hon. Gentleman opposite is so anxious to do. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) shrank from the word "compromise." I do not shrink from it—I know it is unpalatable to those Gentlemen opposite who wish to drive headlong they know not whither—but I do not shrink from boldly standing up here and stating that I am in favour of a compromise on this question. I am convinced of this—and I do not say it without good ground—that if this question be not brought on for discussion to-night, but be postponed till after Easter, we are likely to gain a compromise which will lead to a settlement of this question. By forcing on this question you may succeed in making both sides of this House change places—you may possibly succeed in compelling a dissolution: but when you have attained that end, what then? You will have a united party opposite to you—you (the Opposition) are not a united party; and no one knows better than the hon. Member for Birmingham (Mr. Bright) that you cannot pass a Reform Bill through this House unless it be based upon a compromise, in which both sides, to a certain extent, give up their own opinions. [" No! "] You may say "No!" but what I say is true; and there is not a man who hears me that does not know it to be true. What I say will be supported and backed out of doors. Public opinion wishes to see this question settled without reference to party or personal considerations; it wishes that there should be give and take between us; that more of public and less of party spirit should be exhibited. I say it decidedly and avowedly that no Reform Bill can be settled without a compromise. I do not shrink from that. I believe that compromise can be best effected by the course suggested by my noble Friend, and I think the public are greatly indebted to him for the courage and manliness he has exhibited in making the proposal.

MR. BRIGHT: The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) has discussed this question, as his habit is, in a fair, practical, and sensible manner. He thought that we should lose no time by postponing the debate until after the recess; and that, as to-morrow night would probably be given up to something else, it would be injurious to commence a discussion this evening. If we were to rise to-morrow night for the recess, and if we were now about to discuss the question of the second reading, I think there would be something to be said on behalf of this view; because on the second reading the principles of the whole Bill should be discussed, and I should say that a week would be as little time as the House would require for the discussion. But that is not the position we are in. We are really in the position of being about to discuss what I should call the pivot of the Bill—the point on which the most important matter—namely, the borough franchise — turns. We are not about to discuss that one point for the first time, because on every occasion when the Bill has been discussed at all so far, almost the whole of the speeches have been directed to that point. Therefore, the House on both sides will come to the consideration of it with minds very much prepared to thoroughly understand the position and debate it. I have a strong opinion that one night, or perhaps two nights, will be sufficient for the settlement of that point. The noble Lord talks a good deal about compromise during the recess. But when we are all away home who is to do the compromise? Is the noble Lord the Member for Chester to stay in London, and cook a new dish that would suit every one's palate? [Earl GROSVENOR interposed a few words which were not heard.] Am I to understand the thing is to be settled in the recess, and that when we meet again here we shall find something we can all sit down to with good appetites and entire approbation? I do not believe in that. If there is to be any compromise or any settlement, it must be done aboveboard, and—more than that even—it must be done in the full eye of the whole country. I maintain it would be a great advantage to the country if we could have two nights' discussion upon this one important point before the recess, in order that during the recess, when, as is well known, a great number of public meetings are about to be held, we should have the opinion of those public meetings, if they choose to express it, with regard to this most important matter which is before us. The hon. Member for Hull (Mr. Clay) has spoken of a dissolution. I observe, Sir, that the hon. Member generally manages on these occasions to say something which is likely to be very serviceable to the Chancellor of the Exchequer. Well, we have heard a threat of dissolution before. But last year, if such a thing had been hinted at for a moment, we should have been told that it was unconstitutional and unjustifiable to threaten the House of Commons. The hon. Member talked also about bribery. Why, Sir, it is the corruption of this House, the costliness of these seats — it is that £1,000,000 which it has cost to bring 600 gentlemen here—it is that which makes a dissolution difficult, and prevents that appeal to the country which it probably may be necessary to have before this question can be fairly settled. But I maintain that now, when we are going for three weeks to our homes, when this matter will be discussed in every town and village and almost in every house, it is of the utmost importance that this one particular question—the very heart of the Bill, that which makes it either worthy of acceptance by the people, or below contempt, as a measure of Reform—I say it is of the first importance that we should now have one, or even two nights' debate upon it, if not that we may comprehend it better, yet that the millions on whose behalf and at whose demand the Bill is offered to the House may understand what are their true interests in regard to it, and may express that opinion in a way which may help the House after the recess to a final determination on all the great points of it. I trust the right hon. Gentleman the Chancellor of the Exchequer, who is said by his friends never to be wanting in courage, will be ready to go on with the discussion from day to day. He implored the House six weeks ago, in language such as almost to excite our commiseration, to come and take counsel with him and his Colleagues; and yet I find that on every occasion when the House presumes to give him the smallest advice upon this Bill, he seems to shrink from what it has to say—as if there was some great difficulty in his path, and he was afraid he could not accept the advice we were about to give him. I hope that he will not give his support to the proposition for adjournment; but that he will come manfully to the discussion of the principle in which I presume he believes, from the earnestness with which he discusses it. Let the House discuss it. Let the country understand it. Let us find at last what shall be the true principle on which the borough franchise should be based.

Mr. WHITBREAD: I am not in the habit of addressing the House at any great length, and I should not have addressed it now did I not entertain a strong feeling on the question before the House. I am one of those who, rightly or wrongly, have clung to the hope that this question might be settled by the Government now in office—and for two reasons. First, that having after a fair trial last year failed ourselves in settling the question, we were bound to give hon. Gentlemen opposite the fairest and fullest trial, to exhaust forbearance, and to be ready to sacrifice anything but great points of principle; and secondly, looking to the differences which exist among the Liberal party, which no man but a madman can fail to recognise, I have thought it was likely that we might get a more liberal measure from the present Government than if the House again changed sides. I confess that I cling to that hope, and I cling to it now; but if the right hon. Gentleman the Chancellor of the Exchequer is so unwise as to allow himself to be persuaded by the noble Lord into postponing this question to-night, the last shred of hope I have will be gone, and I, for one, see it will be impossible to arrive at a solution of the question without changing the sides of the House. Now, Sir, I am not one of those who think it is necessary to come to a hurried and agitated decision to-night—indeed, I do not care if we do not come to a decision before the adjournment of the House—but what I want is, that some of those broad points about which there is difference of opinion should be elicited in discussion, and be put before the country for their consideration during the recess. The hon. Gentleman the Member for Birmingham (Mr. Bright) has made a wise and temperate suggestion on that question. I should like exceedingly that the constituencies of hon. Gentlemen opposite should have an opportunity of considering what the point is upon which they are taking their stand in reference to personal rating. I know that many men in the country attach great importance to the payment of rates before voting; but I do not believe that outside the House they attach any great importance to the question of whether the landlord or the tenant pays them; and it is only by a discussion of the question that there is any hope of our coming to an agreement on the point. Hon. Gentlemen opposite must be prepared to give as well as accept concessions. We want it to be fairly put before the country whether the Government are prepared to say that a man who rents below £10 per annum shall be placed in a worse position than the man above it. It is of great advantage to decide that, because I am still desirous and anxious to settle this question, if possible, by the present Government. I appeal to the noble Lord to withdraw this Amendment; for I hope it will not go to the country that any one on this side of the House had pressed a Motion to postpone this Bill, of which I am sure it will disapprove. I believe in the opinion of hon. Gentlemen on this side that we ought to go on from day to day as long as we can.

Sir RAINALD KNIGHTLEY, amid cries of "Divide," which had now become continuous, said, that the proposition of the right hon. Gentleman the Member for South Lancashire might mean household suffrage to its fullest extent or it might mean quite a different thing. If therefore they came to a decision on it to-night, the whole country would remain for a fortnight in doubt as to what the House of Commons really meant.

Mr. HUBBARD: Mr. Speaker—Sir, I have on the notice-list for to-morrow a Motion touching the Education of the People; but I willingly postpone it in deference to the desire of the House to proceed with the still more important question—the Representation of the People. I take this opportunity of suggesting to the hon. Member for Honiton, whose Motion for Correspondence touching the cases of the *Tornado* and *Queen Victoria* stands first on the list for to-morrow, that he should postpone his Motion, if only upon the ground of the inexpediency of raising a public discussion on our relations with the Spanish Government as affected by their treatment of those two vessels. The Spanish people are brave, sensitive, and punctilious on points of honour; and the adjustment of any differences with them would be rather obstructed than advanced by an exciting discussion in this House. I therefore advise him rather to delay his discussion and permit the noble Lord the Secretary for Foreign Affairs to bring to a satisfactory conclusion the correspondence which he has conducted with so much firmness and courtesy.

Mr. NEWDEGATE said, the hon. Member for Birmingham had said that there would be numerous meetings in the country during the recess, and he was anxious that the House should come to a decision on this question before those meetings took place. Now, I think the noble Lord who has proposed the adjournment —seeing that it is totally impossible for us to discuss continuously during the recess—has done that which is most desirable according to the hon. Gentleman's view, inasmuch as I think it is more desirable that we should know the opinions and feelings of those meetings than that they should have the opportunity of advising us. My opinion is, that it is impossible to settle this question in one night's debate. The House may proceed to debate it; in debating it it is doing its duty; but as to the possibility of any arrangement being come to of the nature of which the House are not yet aware, I confess I have not seen any evidence of it. I think the House would do wisely to postpone this question; but I do think that the noble Lord in making the proposition should have shown us something more of the grounds on which he did so. I am not one of those who are prepared to swallow the whole Bill; and I take this opportunity of giving notice that before the House proceeds to the second portion of the Bill—that which relates to the redistribution of seats—I will call the attention of the House to the fact that the Bill of the late Government conferred a greater measure of direct representation to the majority of the people in this country resident in the counties than this Bill of the present Government. I have watched to see if any hon. Gentleman would try and touch this great question, that the majority of the English people have not more than one-sixth of representation. ["Order!"] I beg the pardon of the House for travelling out of the immediate question before it, but I have given my notice. I can only say if the noble Lord really believes on sufficient grounds that a clear understanding will be the result of his Motion, I will support him; for I agree with Lord Grey that on this matter there should be no haste and no precipitation.

Sir GEORGE GREY wished to ask the noble Lord the Foreign Secretary, whether it was with his concurrence the hon. Member for Honiton (Mr. Baillie Cochrane) was to make his Motion to-morrow on the Motion for the Adjournment. It must be known to the noble Lord that a Colleague of his in "another place" asked a noble Marquess (the Marquess of Clanricarde) to postpone a Motion of a precisely similar character to that of the hon. Member for Honiton, on the ground that he could not discuss the case of the *Tornado* without going into that of the *Victoria*, and that to discuss the case of the latter ship would be prejudicial to the public interests.

Lord STANLEY: I have had some verbal and private communication with my hon. Friend the Member for Honiton, and when the hon. Gentleman first expressed his intention of bringing his Motion forward I used every argument in my power to dissuade him from so doing. But my hon. Friend told me he thought he could deal with the subject in such a manner as not to interfere with the prospects of a satisfactory settlement; and he further said there were many other Members of that House who took a strong interest in the question, and who thought the House ought not to separate for the Easter recess without some discussion on it. For myself, I may observe that I have laid before the House of Commons every paper on the subject in my possession. I have kept nothing back; and I have really nothing additional to state to the House. Under these circumstances it is clear that if my hon. Friend brings forward his Motion, he cannot, in any reply I may make, give hon. Members any farther information. But, having laid all the papers in my possession on the table of the House, and thereby challenged criticism upon the course which I have taken, as set forth in these papers, I could not go further than to say that, on the whole, I should prefer that my hon. Friend did not bring the subject on at present.

Sir ROUNDELL PALMER: I have studied the whole of the papers on this subject very carefully, and I declare to the House they present matters of great importance which must come before us in proper season; but I would not on my own responsibility come down to the House and say what I think of them, having regard to the actual state of circumstances in regard to the relations between this country and Spain.

Mr. DILLWYN gathered from the speeches delivered that evening, including the speech of the hon. Member for Birmingham, that the House thought an adjournment of the debate in Committee on the Reform Bill would be desirable. ["No, no!"] Certainly he understood hon. Members to wish that there should be an adjournment after a full discussion. He could only say that he was in favour of moderate counsels, rather than excited speeches.

Mr. DAVENPORT BROMLEY wished to ask, whether it might not be possible to come to an understanding that the debate was to go on, but that they were to come to no decision on the Amendment to-night?

The CHANCELLOR of the EXCHEQUER: The appeal to me which the noble Lord (Earl Grosvenor) has made is one of that class which, on the part of the Minister, should, I know, be received with a certain degree of sustained silence, because every one must feel that it really is a matter to be decided by the wish of the House, and not by that of any Gentleman sitting on the Treasury Bench. Now, my own opinion is that it is expedient that we should proceed with the discussion of the Bill; but, at the same time, I feel and understand the reason which induced the noble Lord to make the appeal. I do not think that this question has been adequately discussed; but I do not see that there is any reason why, now that we have gone into Committee on a previous occasion, we should lose the opportunity at present before us. Whatever may be the better course, I feel that the course which the House should decide on under these circumstances is always to consult the feeling of the majority of the House, and I believe the feeling of the majority is that, whatever may be the result, we ought to proceed with the discussion to-night. I would now have sat down had it not been for some observations which have been unnecessarily made by some hon. Gentlemen, and particularly by that sincere Reformer the hon. Member for Nottingham (Mr. Osborne). That sincere Reformer has accused the noble Lord the Member for Chester of being in collusion with myself. I thought a few nights ago that the sincere Reformer was in collusion with Her Majesty's Ministers, for he was a very ardent supporter of ours; and now, with a celerity of transformation which, I confess, somewhat astonishes me, it certainly seems curious, after the course he has taken in discussing this measure, he should be so free in his imputations on other Gentlemen. The hon. Gentleman—this sincere Reformer—very boldly and unequivocally announced to the House three times to-night that I had declared I would not listen to any Amendment which might be proposed to the Bill in this House. That is a statement which, on impartial investigation, will be found to have no foundation in fact. I have from the first said that this measure of ours—if once permitted to go into Committee—was one only to be carried by the general consent of the House, and by the assistance derived from hon. Gentlemen on both sides. I have always invited that assistance and that cordial co-operation, and have promised a reciprocity of feeling and conduct on the part of the Government. It is very true, as the hon. Member for Nottingham has stated, that I expressed—[Mr. Osborne: Hear!]—I am glad that the hon. Gentleman is so attentive, and, I assure him, I feel his attention as a distinction—it is very true that I expressed in my communication to my friends that I should certainly—if the changes proposed by the right hon. Gentleman the Member for South Lancashire were sanctioned by the House—deem that they were fatal to the measure the Government have introduced; and for the very good reason that they really are not

Amendments, but propositions contrary to those which we have brought forward. They are not Amendments to our measure, but constitute a supersession of it. Therefore, it was necessary that there should be a clear understanding on that head; I said that after the Bill had been read a second time, and its principle had been accepted, and we were in Committee, we would be ready to consider Amendments which might be brought forward for the improvement of the measure; but when, upon the Bill going into Committee, notice is given of a series of Amendments which entirely change the character of the measure and alter its principles, then the most convenient course is that we should at once declare that we do not recognise those falsely-called Amendments as subjects which ought to be brought forward in Committee. I only wished it to be understood that the propositions of the right hon. Gentleman the Member for South Lancashire are looked on by the Government really as a proposition of a counter Bill. With this view and feeling, I thought it necessary that I should at once state the manner in which we regarded them, and the effect which we considered those propositions, if carried, would have on our measure. With that exception, I am not aware that I have shown any indisposition to receive advice or to listen to any suggestion from hon. Gentlemen opposite, for I feel sure that it is only by mutual concession that there is any prospect of bringing this question to a happy termination.

Earl GROSVENOR: In deference to the feeling of the House I will withdraw my Motion. With regard to the expression of the "sincere Reformer," the Member for Nottingham—

Mr. OSBORNE: I rise to order. ["Chair!"] I believe the noble Earl has no right to reply.

Mr. SPEAKER: The rule with regard to Motions for Adjournment of the House is this:—If the Motion for the Adjournment is made while another Motion is before the House, and during the progress of the debate, there is no reply. But if the Motion of adjournment is a substantive Motion, the right to reply has been admitted.

Earl GROSVENOR: I can assure the House that in proposing my Motion I had not the least desire to cause any delay in the progress of the measure of Reform. "Delays," it is said, "are sometimes dangerous;" but in this particular case I think a little delay would be safe. As the House is of the contrary opinion, I defer to that opinion and will withdraw the Motion for postponement. With regard to the expressions I was about to refer to when the "sincere Reformer" (the Member for Nottingham) interposed, I will simply say that I will take the first opportunity of answering his assertions.

Motion, by leave, *withdrawn.*

Bill *considered* in Committee.

(In the Committee.)

Preamble.

On Question, "That the Preamble be *postponed,*"

Mr. DARBY GRIFFITH said, he quite concurred in the remark that had been made, that the Bill had not received that discussion which its importance demanded during its progress through the preliminary stages. Owing to accidental circumstances three different opportunities for discussion fell through; and the Bill passed into Committee almost without discussion, and the House found itself on the top of an inclined plane which led directly to the pit of democracy. It was startling to think that the same House of Commons which was last year so cautious should this year have become so utterly reckless. Last year a £7 rating was almost thought to be excessive; but when the present Government had to consider the question of Reform in the autumn, and to decide what was to constitute the suitableness of a man to enjoy the possession of the franchise, they arrived at the conclusion that the personal payment of rates was a sufficient guarantee. The attempt had since been made to discover a principle and a resting ground in this; but when they came to try it on its details, there was ample reason to doubt whether in truth any reliable principle was involved in the plan. The position of the compound-householder, under the Bill, could scarcely be said to be in harmony with any principle; and what ought not to be forgotten was the opportunities which his position would open to the influences of bribery and corruption. Suppose that a candidate set about to canvass a borough in anticipation of a General Election. He would find numbers of compound-householders who would say to him that they were too poor to be at the expense of placing themselves upon the register; but that if he would pay this expense for them, and recoup them the difference between the amount of the rates they would have to pay and the amount of the composition the landlord paid, they would be willing to exercise in his favour the franchise which they had acquired by his influence. Well, the candidate would be in a painful dilemma; either he must lose a number of votes, or he must lay himself open to the imputation of corruption and undue influence. It was well known that, even at present, many Members of the House were expected to contribute to the expense of keeping up the municipal franchise in the boroughs they sat for; and he believed that an hon. Gentleman was about to resign his seat on account of the increasing heaviness of this annual charge. But these points and others of equal importance had never yet been considered by the House, or by the country; and he maintained that it would be well that they should have the opportunity of consulting their constituents, who were principally interested, upon them during the Easter recess, before committing themselves to the contest that must arise upon the Amendments of the right hon. Gentleman opposite. Another reason in favour of delay was that there was great uncertainty as to the prospects of a dissolution; and he should be glad to know—and he thought it important that it should be stated—what was the exact meaning of the circular issued to his supporters by the right hon. Gentleman the Leader of the House—whether it meant that a dissolution would take place in the event of the success of the Amendments of the right hon. Gentleman opposite, or whether it was only intended as an expression of the personal opinion of the Chancellor of the Exchequer. This was a serious question. As the case now stood they might all be sent to the right about at a moment's notice. They were about to go into Committee upon a measure that must change the character of the Constitution to an incalculable degree, and he felt very strongly that this serious step had not been preceded by any adequate discussion upon the principle of the measure. But that discussion had been burked, or, he might say truncated, and the House had been deprived of the advantage of hearing the opinions of many hon. Members to whom they would have been glad to listen. The noble Lord the Secretary for Foreign Affairs, for instance, was a statesman to whom they all looked with great confidence and respect. That noble Lord had said that this Bill would not be a Democratic measure, and it would be no doubt a great satisfaction to the House to hear from the noble Lord his reasons for entertaining that opinion. He thought they now required the recess calmly to consider the scheme of Reform, and they ought not to allow themselves to be hurried into a precipitate conclusion. Some hon. Gentlemen talked as if there was only one issue before them, and as if this House were divided into two hostile camps. But it was preposterous to imagine that. There were, at least, five parties in the House. There were the two extremes, the moderates on each side, and the centre, and yet it was expected that 600 Gentlemen selected from the whole country for their ability to exercise a calm and correct judgment on this matter were to move like so many soldiers by the sound of a trumpet, and to render an obedience to their leaders which was positively slavish and degrading. [*Cries of* "Agree!"] The natural impatience of the House on this point, as manifested by the interruptions to which he was at this moment subjected, furnished him with an illustration which was quite germane to the matter. The argument most commonly made use of here was what he might call an *argumentum ad desperationem*. Everybody said that something must be done; they were all tired of the question, and therefore they were prepared to take the first measure that was offered to them. It was well known that Members were brought there under great moral compulsion, and that on great party divisions Members were induced to vote, not by the ordinary party inducements, but by others that were not quite so legitimate. It was only the other day that there had been a serious split in the party opposite; but they were now given to understand that the wanderers had returned to the fold, and that they were ready to do penance for their backsliding. As they seemed now as anxious for a division as they were formerly averse to it, he presumed they were now better drilled than they were before. He was very certain that the country did not understand the distinctions that had so lately been set up respecting compound-householders. In many parts of the country they did not know what a compound-householder was. It was a mere jargon of debate that was bandied about from side to side. Then with respect to the Bill—it was represented to the other side as a Liberal measure, and that though it might be Conservative *in esse*, it would prove to be Liberal *in posse*. He believed that was true, and that before many years were over there would not be a compound-householder in a borough but by hook or by crook he would obtain the suffrage. But to that side of the House it was represented as strongly Conservative. It had all sorts of check—there was the dual check, the personal rating check, and the residence check; but they were all in the course of vaunting. He contended that if they came down to household suffrage pure and simple, it would be better to adopt the municipal franchise at once. Should the checks which had been proposed by the Government not be accepted as part of their Bill, the franchise given by the Government measure would differ from the municipal franchise merely in respect of the latter requiring three years and the former two years' residence. If such a result were probable the better course would be to accept the municipal franchise.

Motion *agreed to.*

Clauses 1 and 2 *agreed to.*

Clause 3 (Occupation Franchise for Voters in Boroughs).

Mr. GLADSTONE: Sir, as my hon. Friend the Member for Westminster (Mr. Stuart Mill) was good enough at an early period of the evening to state his willingness to waive the moving of his Amendment until a later stage of the Bill, I need not go through the formality of making a fresh appeal to him. Before I state the purpose and object of the Amendment I am about to move, I wish, on account of the mingled difficulty and dryness of the subject, to observe pointedly to hon. Members that there are two very important questions connected with rating that are not in the slightest degree involved in the statement I have to make. The question we discussed last year, and which became decisive of the fate of the late Government — namely, whether the franchise should be measured by rateable value, or by clear annual value, is not now before us. Another question of very considerable importance is likewise wholly apart from the vote which I shall invite the Committee to give—I mean the question of payment of rates. The question whether the voter who is liable to the payment of rates personally shall have paid his rates before he is authorized to claim to be put upon the register, and the question whether the voter who pays his rates through the medium of his rent to his landlord shall likewise have had those rates paid by the landlord or, in default of the landlord by himself, before he is entitled to be put upon the register, are questions of considerable moment, which I do not in the slightest degree intend now to raise. My own personal opinion is that which was expressed by the Bill of last year; but I own that the question of the payment of rates is a question upon which any Member would incur great responsibility if, for the sake of it, he rejected a Reform Bill which was in other respects satisfactory. My Amendment upon the 3rd clause involves nothing touching that portion of the clause which requires the payment of rates. This Amendment, as has been said by the right hon. Gentleman the Chancellor of the Exchequer, is the first of a series which is intended to give effect to the views which I glanced at on the opening of the debate when the Bill was presented to the House, and which I more fully explained on the second reading of the Bill. They are not, indeed, complete, even as they stand upon the Votes, because any proposal to relieve from liability the smaller occupier is a matter in respect of which it would obviously have been impossible to deal with in a clause which relates to enfranchisement. It would require more than one clause, drawn with considerable care, and involving a considerable amount of collateral and subsidiary provisions, to deal with that question, and I hope that my hon. and learned Friend the Member for Exeter (Mr. Coleridge) will fulfil his intention of presenting clauses with a view of giving effect to a plan of that nature. My Amendments form a whole, and appear to constitute a mode of procedure which, I believe, would be satisfactory to the feelings, and would correspond with the widely-spread and deeply entertained convictions of this House. But in asking the Committee to concur in any one of the Amendments, I certainly cannot adopt the lofty language of the right hon. Gentleman the Chancellor of the Exchequer, who says that they relate to the vital question of residence, and that if any one of them be adopted it will be impossible for the Government to proceed with the Bill. I have no authority to present these Amendments to the House. I may have my own opinion as to their connection with and adherents to the plan; but I have no power and no inclination to bind any other person—they are entire and consistent in themselves, and unless I very much mistake, can stand on their own merits.

Now, Sir, so much has been said on so many occasions about our position with regard to this subject that I will state to the House what I regard that position to be. The paramount object we have before us is to pass a good Reform Bill, the secondary but still important objects are to pass that Reform Bill during the present year, and to pass it, if we can, by the aid of the present Government. I am not, however, prepared to sacrifice the paramount object to those of secondary importance. We should, in my opinion, commit a vital mistake if, because we have been laggard in former years, we should, I will not say hastily, but with insufficient care, piece together the clauses of a Reform Bill, and send forth to the country that which, while it professes to be a settlement, can only lead to new and fiercer agitation. Subject to the goodness of the Reform Bill, there is scarcely any sacrifice of time, feeling, or opinion compatible with higher principles that we ought not to be prepared to make in order to dispose permanently of this question.

Now, with respect to the Motion to which I am about to ask the House to agree, I must take leave to observe that up to Saturday last I had not the slightest reason to suppose that even the Motion I now make, and much less the innocent little proposal with regard to the two years' residence ["Oh, oh!"] would have been received as they have been by Her Majesty's Government. When I say "little," though it was not large in itself it was large in principle. Why, what happened on the second reading? Most certainly the objection to personal rating was not blinked. I myself detained the House for some time on the subject, and my hon. and learned Friend the Member for Richmond (Sir Roundell Palmer) followed me in a speech on the same subject, of which I will say nothing more than that it was worthy of his name, his character, and his talents. My hon. and learned Friend confined himself exclusively to this subject. He presented it in the clearest form to the eye and mind of the Government. The right hon. Gentleman, however, the Chancellor of the Exchequer, in his speech of that night, did not hold the high and imperious language which he does now. To that speech of my hon. and learned Friend, his sole reply, couched in five words, was "Get out of *Nisi Prius.*" By passing by in that manner what he now says is the gist and upshot of his Bill, the right hon. Gentleman raised the impression that he was willing to act with us; but when he told us that he was prepared to enter into the consideration of this important portion of such Bill the terms are of little value, unless they are interpreted in a liberal spirit. If we cannot have the aid of the Government with respect to this matter of personal rating, I deeply regret it. I think we have shown on this side of the House, by the conduct we have pursued up to the present week, that we are entitled to the credit of having acted with sincerity. I should deeply regret the loss of the aid of the Government, and that they should fasten themselves—if they ultimately do so—to a proposition and scheme so unhappy in its whole conception as this of personal rating. Still, the withdrawal of that aid cannot affect the paramount duty of the House; because, if we send forth a Bill with safeguards and limits we are answerable for the character of those safeguards and limits, and are bound to see that they are not constituted of flimsy and untrustworthy materials, utterly unworthy of the House of Commons. Now, when I look at the propositions of the Government with respect to the borough franchise—and for the present I will look no further—I find that its most prominent characteristics are an extreme narrowness of immediate enfranchisement, and the setting up of certain barriers, to which barriers we are invited to trust for excluding a great mass of householders below the limit of £10. These are the two prominent features of the plan. Now, let us look at the figures in order that I may make good what I say. As the figures stand in the Return which bears the name of the hon. Gentleman the Secretary of the Treasury, the number of direct ratepaying householders who would be entitled to the advantages of this Act would be 246,000, and, I think I understand, according to the computation of the Government, 50 per cent of that number, or 123,000, may be expected to get upon the register. I think that deduction of 50 per cent is not an undue deduction. The figures again show that there are 476,000 compound-householders who would be qualified under this Act, and according to the same computation that number would be reduced to 238,000 votes. But these figures are not correct, though their incorrectness is not owing to any fault on the part of the Government or of those engaged in their preparation. This incorrectness is due to the fact that in the first of those figures—the total of supposed ratepaying householders—there are comprised a very considerable number of persons who are not compounders under the Small Tenements Act, but who have their rates paid for them by arrangement between the parish officers and the owners. In Liverpool last year no less than 7,000 or 8,000—indeed, I believe a greater number—are affected by this mistake, and its results are in the same manner to be found in other towns, with whose names I will not weary the House. The consequence is, that the number who are to be admitted as ratepaying-householders will be still further reduced, and we shall in proportion have to add to the number of the compound-householders. As these figures stand it would appear that about two-thirds of the householders below the limit of £10 are, in the larger sense of the term, compound-householders—that is to say, they do not pay their own rates, but pay them in the shape of rent. With regard, then, to the persons who are to be immediately admitted to the exercise of the franchise, if you take the numbers at about 200,000 or 210,000, which will place upon the register about 100,000 voters, I confess I do not expect that any plan which contemplates as its proper or normal result the enfranchisement of that number of persons is likely to give the slightest satisfaction to the country, or will be accepted by those who earnestly and sincerely wish for Reform. But when I look beyond that point, I find the real gist of the question lies in the method in which we are to deal with the compound-householders. Insufficient enfranchisement in the immediate operation of the Bill is the first objection I take to the plan of Her Majesty's Government. It is absolutely necessary that we should find the means of enlarging that enfranchisement. And here I may venture to appeal to the right hon. Gentleman the Member for Calne (Mr. Lowe), who has proved himself one of the stoutest and most consistent opponents of Reform in this House, and ask him whether it is proper to deal with the question on a plan so minute as that in which it is proposed by the Government to give direct enfranchisement. Why, Sir, I presume that he would say if this subject is to be dealt with at all, it must be dealt with in a manner which will make any measure that may be passed likely to prove lasting. Such a proposition, however, as that made by Her Majesty's Government could not last. It would merely be the earnest of what is to come and the incentive to further agitation. The limiting principle of the Government is what they call personal rating, apart from the question of payment of rates on the qualifying tenement. The question is whether the rating shall be laid on the man himself. The principle of this Bill is personal rating, and that this is the old constitutional principle of English representation. If we go back we shall find a vast number of other usages which prevailed in former times, and which have been wholly superseded in consequence of the improved machinery of Government. In former times, no doubt, there was no such thing as a local system which placed the owner between the occupier and the authorities who received rates; and it is not the truth that this supposed constitutional system formed the basis of our whole representative system; on the contrary, it was only in the scot and lot boroughs that that system can be said to have fully prevailed in number. These scot and lot boroughs were, I think, about forty-six or forty-eight, which is somewhat less than the whole number of boroughs, which is, I think, 214. There were other boroughs where the voters were burgesses, or had the burgage tenure, where, undoubtedly, they were ratepayers, but the foundations of their votes were not laid in the rating; and with respect to other voters there was no personal rating whatever in any manner connected with the franchise. The freeman is not necessarily a personal ratepayer; the freeman in many instances is non-resident; and as to one half of the boroughs of the country, it is not a fact—I apprehend I shall not be contradicted—that ratepaying was originally or at any period known as the basis of the franchise. I admit to you that in many boroughs it was; and what then? Is that a reason for rejecting all the lights and all the profit of experience? Modern usage and the wants of society have found that it was convenient, and in many cases necessary, to make a change in the law. So difficult was it found in many large towns to collect rates in small sums from small holders where the population was gathered together in great masses, that there sprung up in the best and most English of all methods—that is, spontaneously and locally—a system under which the landlord paid the rates and charged them to the occupier in levying his rents. Well, then, can this proposition be denied—that the man who pays his rates with his rent to his landlord as a compound-householder as truly pays rates as the man who pays them personally? Do not let us flinch from the trial of this principle. It is disputed by political economists whether the ultimate incidence of rates is upon the occupier or upon the owner. I have my opinion upon that question. I will not, however, discuss it now; but I will say that whether it be upon the owner or the occupier the ultimate incidence is precisely the same in the case where the occupier pays the rate as in the compound-householder—I hold that to be an undeniable principle of political economy—and if I were to give a descriptive definition of the Small Tenements Act, I would call it, as well as the many other similar local Acts, Acts for obtaining the payment of rates from persons from whom they could not previously be obtained, by substituting a new and secure process for a process that was slow, costly, troublesome, and vexatious. Thus we became acquainted with the class of compound-householders, and the measure was calculated to relieve the parochial officers from much trouble. But this compound-householder system, which is, in point of fact, a great improvement of modern times, a great legislative social and economical Reform, comes out in the Bill of Her Majesty's Government as something approaching to a note of moral inferiority. Was there ever such a paradox propounded in Parliament? Will any man tell me that you can draw a distinction as to the moral character of any two places, because one has adopted the Small Tenements Act and the other has not? Yet in the one case we are told, with great laudation, that virtue prevails, duties are performed, and men are worthy of the franchise; in the other, the citizens are inferior in character, and, unfortunately, corrupt; they are given to cheating their creditors and getting drunk. This is the character we have given to us of the compound-householder. But the compound-householder has no choice in the matter. He goes, as we go, where his occasions call him; he goes where his duties or his professions requires him to go. Do you think a father of a family will perform his duty to his wife and children if, instead of going straight to the town where he could find the best market for his labour, he was to inquire whether the Small Tenements Act operated in that town, and, if it did, to avoid it as he would the plague? What is the meaning of this doctrine of testing by compound-householding? I contend, and I challenge contradiction, that the individual man is not in any respect measured by it. When the local Act is obtained, or the Small Tenements Act is adopted, they are accepted under the overpowering influence of property and parochial authority; the compound-householder himself has nothing to do with it; he is not a compound-householder by his own act or choice; and therefore it is preposterous to attempt to use that condition as a criterion of character, and as an occasion for creating a distinction between men of the same class. How has this principle of compound-householding been received in the country? It is one of the most remarkable instances of rapid extension of a new system that I know of. Under the form of overpowering reasons of convenience and local benefit the Small Tenements Act has been adopted in about 5,000 parishes in this country, and the only reason that checks its further progress is found in the feeling of the landlord that the reduction on the full rate, 25 per cent, is insufficient, and because the small householders are jealous, and I think justly and laudably jealous, of their right to be acknowledged as payers of rates. But, notwithstanding that these impediments stand in the way, I believe that the Act, which is not more than sixteen or eighteen years old, has been adopted by 5,000 vestries. In how many has it been abandoned? We have heard now and then of a stray parish, amounting to something like one in 1,000. Thus public convenience has declared in favour of the Small Tenements Act; the system rests on the ground of convenience, and has no connection whatever with the character of persons; and can you, since it forms no test of character, say to 500,000 of your fellow-countrymen, "I will pass an Act which shall enfranchise 100,000 or 110,000 men of your class and condition of life as yourselves—persons not differing from you in any circumstances of education or independence, and I will refuse to you that which I give to them on account of your being compound-householders; and, having passed that Act, I shall expect you to be perfectly quiet and contented, and say I have settled the question of Parliamentary Reform?" In the course of the last debate the hon. and learned Solicitor General and the President of the Poor Law Board, who followed me, made no reply to the astonishing figures which I fairly selected from the catalogue of towns, showing the ludicrous inequality of this method of proceeding. Some of those figures are fresh in the recollection of hon. Members. The hon. Member for Brighton (Mr. White) is in the predicament of having fourteen persons out of his 100,000 qualified by the liberal and comprehensive measure of the Government, and I rather think there was one large town where a single unit was qualified by the Bill. If that unit was the gross number qualified, it would be very difficult to say what would be the net result. I have spoken of the inequalities between different towns; let us look for a moment at the inequality which would exist among persons of a similar class in the same town; let us look at the elements of trouble, confusion, strife, and disturbance this principle, forsooth, of personal rating is going to carry throughout the boroughs of the country. When we find that one-half of the boroughs of the country are partly under the Small Tenements Act and partly not, this becomes a very serious question. Let us, then, see how the Government Bill would operate in some of those boroughs. The Bill would take from those parishes which have the majority of the population the chief power in determining an election, because they are under the Small Tenements Act, and hand over that power to a minority of the populations of the same town, because the Small Tenements Act does not operate in that portion of the town where the minority lives. Is that the way in which we are to seek a solid and permanent settlement of the question? I will give three or four instances. The great town of Bristol is very evenly divided. But the 78,000 persons living in the portion which is under the Small Tenements Act yield only 5,493 persons qualified to become electors, while the 76,000 persons living in parishes not under the Small Tenements Act yield 10,431 persons so qualified. Half the population of Bristol, therefore, living in parishes not under the Small Tenements Act will be invested with exactly double the electoral power possessed by those in parishes governed by its provisions. Is that the way to give contentment? Is there not something strange, something almost ludicrous, in calling this "legislation," in sending an Act of Parliament like this into towns and parishes to establish inequalities which are entirely new and perfectly capricious, and then expecting these inequalities, the fresh creation of our own brains, to be accepted by the people of this country as if they were surrounded with the venerable halo of ancient usage, or as if they presented those advantages of diversity of system which men undoubtedly are sometimes contented to enjoy, even at the expense of anomaly, when they are handed down to us from many generations? In Grantham the open parishes have 3,926 inhabitants, qualifying 773 persons to vote; the close parishes have 7,915 inhabitants, or double the number; but only 688 persons are qualified to vote. In Leeds the open parishes have a population of 35,561, qualifying 7,358 persons to vote; the close parishes have a population of 171,604, but of these only 9,200 would have votes. So that one-sixth of the population of Leeds has four-ninths of the voting power of that town. These figures, of course, are only to be taken by approximation; because the Return laid on the table does not give the number of male occupiers in each town, and we are, therefore, obliged to make a computation from the number of inhabited houses, after the ordinary average deduction. The figures, however, must be nearly accurate. The next case is that of the town of Pontefract. I do not know how my hon. Friend the representative of that town (Mr. Childers) likes the figures, but here they are. The open parishes contain a population of 5,486, qualifying 723 persons to vote; the close parishes, with a population of 6,250, would only qualify 447 persons to vote. A minority of the population, consequently, would possess two-thirds of the voting power. You may go through the process of writing down something on a piece of paper or parchment and calling it a law, but it can never attract the respect due to law when its operation would be partial, capricious, unfair to such an extent as this. And these inequalities are to be securities of the Constitution, guarantees against democracy; are to be the firm, solid, well-built walls, which are to stem the tide of agitation! This strange emanation of some ingenious mind, fanciful as if displayed upon the stage, but wholly alien from the spirit and history of British legislation, and for which there is nothing approaching to a precedent in the annals of this House, is to supply the new governing power of the nation. Shoreham is the only other town to which I will refer. In the open parishes there are 13,346 persons, of whom 2,244 are qualified to vote. A population of 19,276 in the close parishes will only qualify 1,455. The Solicitor General will perhaps say, let these parishes cure the evil by throwing out the Small Tenements Act, or by bringing in its operation, as the case may be. But I object altogether to making our political measures a means of interference with the social and economic arrangements of the people. Whether the Small Tenements Act is or is not to be put in operation in a particular borough ought to be decided by considerations of local convenience or advantage, and not by the sentiments of political partisans, who may wish to obtain influence or power for the quarter in which they themselves reside. Irrespective of those still graver and more conclusive objections for which the Amendments of the right hon. Gentleman offer no remedy whatever, the legislation which he insists that we shall adopt, and declares that if rejected it will be fatal to his plan of the borough franchise, has this serious drawback, that the constituencies all over the country will depend on the will of the local authorities, assembled in their vestries and corporations, and not on the will of the Imperial Parliament. I must own it appears to me these are considerations of very great weight, and I wish it were in my power adequately to explain to the House the real social working of these changes. I may be allowed to say that I think much prejudice exists upon this subject at the opposite side of the House, and I will state how I think that prejudice has arisen. Many hon. Gentlemen opposite are familiar with the law of ratepaying in the country and in the open parishes of the country. Now in the country I am by no means prepared to assert that readiness to pay rates may not be a very good test of a man's character in other respects; but in the towns, where these arrangements of compound-householding are adopted wholesale, the principle affects, not the individuals but the parishes themselves; and to visit the individuals with penal consequences for not paying rates by excluding them from the franchise, or by erecting barriers which it is in our power to remove, is a course founded neither in policy nor in justice. There are many persons who still think that there is something which degrades the workman in becoming a compound-householder. May I be allowed to point out that there are many good and valid reasons affecting persons in that position in life which may tend powerfully to make the workman prefer to be a compound-householder to being a ratepaying - householder; and further, which may make a skilled workman of high character, intelligence, and industry wish rather to be a lodger than either a ratepaying or a compound-householder? It is the view of the workman to simplify the transactions connected with his affairs. The workman receives his income weekly; what more convenient to the workman than that he should pay weekly the whole charge connected with his house? You think you have got another test of character in residence. Ah, Sir, little do the gentlemen know of the necessity incumbent on the workman to follow his work; little do they know the cruel infliction laid upon the working man when he has to walk two, three, or four miles each morning before he begins his work, and again in the evening the same distance before he rests from his labour. A workman wishing to be near his work often has occasion to change his abode. What can be more inconvenient to a man who so changes his abode than to be perplexed with small questions as to the amount of rates due upon his house, to be compelled to sacrifice time—time being to him money—in order to find out what is due, and what amount the incoming tenant has to pay. And how are they to ascertain this? Are they to employ lawyers to divide their respective proportions of the rate? No, Sir, these are matters which to us are very light; they come in the solicitor's bills, and are disposed of; but to them they are very serious indeed. I have said that to the working man having occasion frequently to change his abode, the position of a compound-householder is greatly preferable to that of the ratepaying-householder, and that he often prefers to be a lodger. And reasonably so. In this metropolis, this great home and hive of lodgers, a working man cannot be a householder in the simple sense. He must either be a lodger or a lodging-house keeper. The workman householder, who occupies a house for himself, his wife, and family, hardly exists, as a class, in London. If a man takes a house, he must undertake the position of a lodging-house keeper. Cannot you conceive that a most intelligent working man, desirous to devote his whole energies to his trade, is often very reluctant to hamper himself with the business of a lodging-house keeper, and therefore becomes a lodger? In mentioning the case of the lodger I may make an appeal to the right hon. Gentleman on a point, which stands in most intimate relation to the one I myself have introduced. It has been said by everybody, uncontradicted, as far as I have heard, by him, and therefore I may suppose he will redeem his pledge—that he has conceded the lodger franchise. If he has conceded that point, what becomes of the principle of personal rating?

THE CHANCELLOR OF THE EXCHEQUER: I never conceded the lodger franchise. I said that I would consider any fair and proper proposal on the point. But neither the right hon. Gentleman himself nor anybody else has made such a proposal.

MR. GLADSTONE: The right hon. Gentleman has contradicted me upon a matter as to which I gave him no occasion. I might, indeed, have said that the right hon. Gentleman, when he proceeded to deal with the lodger franchise, became heroic in his style, and said—"What! Suspect me of indifference or hostility to the lodger franchise? Why, I am the father of it!" We shall see now what kind of paternal tenderness the right hon. Gentleman exhibits towards his offspring. What I said was that the right hon. Gentleman had permitted that statement to be circulated everywhere, without contradiction or qualification of any kind. He must have been aware that it was spread through the press all over the country, greatly to his advantage. Everywhere it has been said, "Oh, don't talk of the lodger franchise, we all know that it is conceded." What I want to know is this—is it conceded or is it not? If the lodger franchise is conceded, I rejoice at it; but if it is conceded, I want to know what becomes of your principle of personal rating. Do you mean to say that in every parish in London there is to be a new survey, and that not only every house, but every floor of every house is to be rated? I think not. But if not, you cannot have a lodger franchise and the principle of personal rating. The right hon. Gentleman must come to some means such as those proposed by my hon. Friend the Member for Finsbury (Mr. M'Cullagh Torrens), and I think some other hon. Gentleman; but it is clear that the lodger class cannot come into the electoral body by the right of personal rating. What becomes, then, of the principle of personal rating in the borough franchise? The importance of this point cannot be overstated; for this Bill has been described in peculiar terms within the last few days by my right hon. Friend the Secretary of State for India (Sir Stafford Northcote). My right hon. Friend says, "Do not accuse me of inconsistency. We do not propose to lower the franchise. All we do is to create certain species of franchise, some above the line and some below the line where it is at present placed by law; but as to lowering the franchise I am as much opposed to that as ever. If I were not I would be in the white sheet." Does my right hon. Friend forget that poor Bill which out of compassion—for I did not like it much—I once or twice tried to express some regret for—I mean the Bill with the £6 franchise? Did that lower the franchise? I should not wish to see my right hon. Friend in "the white sheet," for I do not think it would become him; but when the £6 Bill was the proposition of the Government, he must have been in that garment though he is out of it now, because the franchise is not lowered. That is the declaration which the Secretary of State for India made in presence of the Chancellor of the Exchequer? Let the country know whether it be so or not. The franchise is not lowered; but special franchises are to be given. Let my right hon. Friend the Member for Calne (Mr. Lowe) rejoice, for there is one man at least entirely with him—there is one other man entirely opposed to Reform in the only sense in which the people understand it, and the only sense in which they care a pin about it. The Chancellor of the Exchequer has printed certain new clauses; and from these I think it clearly appears that when myself and my hon. and learned Friend (Sir Roundell Palmer) contended that on the compound-householder below £10 this Bill would inflict a fine, we used no rhetorical figure, but kept within the bounds of strict and literal justice. Those clauses—or, I believe I should say, the clause, for there is only one clause, though it is composed of several sections—this clause considerably mitigates the difficulties. It requires the compound-householder to pay up the full rate assessed upon his house on his first application, and having once done that the compound-householder becomes a ratepaying-householder. Is that the principle on which the Government propose to stand? What has the right hon. Gentleman said to my hon. Friend the Member for Oldham (Mr. Hibbert)? The right hon. Gentleman cannot endure any portion of the Amendments proposed by me—he holds them all to be intolerable; they must stop the Bill, and they must entail all those public calamities and disasters which have been so skilfully shadowed forth by the right hon. Gentleman and his satellites, and which have been made use of to act on the public mind. Well, Sir, I was saying—[The CHANCELLOR of the EXCHEQUER: The satellites,] but as the right hon. Gentleman appears so taken with the expression, I will perhaps come back to it by-and-bye. I have done with the satellites for the present. With regard to the Amendment of the hon. Member for Oldham, the Chancellor of the Exchequer seems not to have made up his mind whether to assent to it or not. He is ready to come to some conciliatory arrangement which may be satisfactory to both parties. But the meaning of the proposal of my hon. Friend cannot be mistaken for a moment. His meaning, as regards personal rating, is exactly the same as mine; he wants to place the compound-householder substantially and for every purpose connected with the franchise on exactly the same footing as the ratepaying-householder. He wants that no arbitrary rule as regards the personal payment of rates shall stand in the way of the compound-householder; he objects to allow any arbitrary barriers raised by Parliament to stand between a man who is declared worthy of the franchise and his enjoyment of the franchise; so that if the right hon. Gentleman holds my proposal to be so objectionable he will find a rather formidable opponent in the Member for Oldham. My hon. Friend is not the person to be put off with soft words. He objects to personal rating as a barrier; and therefore his object is the same as mine, which the right hon. Gentleman has declared—but I trust not irrevocably declared—to be wholly inconsistent with his views. Now, I object altogether to the clause of the right hon. Gentleman. I admit that he gets rid of certain difficulties; because I think it would be more difficult to employ the registration agent to convert the great mass of compound-householders into ratepaying-householders than to act on the principle of the clause. But the right hon. Gentleman says to the compound-householder, "I have no spite or malevolence whatever towards you; I am willing you should vote; but, in order that you may vote, you must cease to be a compound-householder." Why, three-fourths of the householders under £10 are in the position of compound-householders for economical and social reasons; and when the right hon. Gentleman says to them, "You shall have the franchise, but you must cease to be compound-householders," I ask him why are we to inflict a punishment on those persons as the price of the franchise? How should we like to endure that? Has the right hon. Gentleman considered what will be the effect of this class legislation—this imposing a fine and where not a fine, difficulty, and loss of time, which is loss of money—has he considered what will be the effect of such legislation on our humbler fellow-subjects? We should not endure it for a moment. Why should this punishment be inflicted? I say if Parliament wants to limit the franchise, let it limit the franchise openly and manfully. Let it not send forth a two-faced Bill, with a face of Toryism on one side and a face of Democracy on the other, and vainly hope and expect that we can induce believers at one point of the compass to worship one of the masks and believers at the other point of the compass to bow down to the other mask. It appears to me that such a measure is not worthy of being proposed by the Government; but if, unfortunately, the Government do propose it, the very best course for them to take is to amend their proposition while there is yet time. Of this, at least, I am certain—that such a principle is not one worthy of being entertained by Parliament. It is our duty, even at this the eleventh hour of our Reform discussion, to object to such a proposal. If you think it expedient that there should be an unlimited franchise, let it be unlimited. If, on the other hand, you think it ought to be limited—and I have expressed my opinion upon that point—say so and leave it to the people to judge—as they always do judge—fairly and candidly our actions; but do not let us adopt provisions which convert a boon into an offence from the nature of the conditions by which it is accompanied. Do not let us inflict a wrong on any portion of the community, which wrong will inevitably be avenged on the community at large, in the shape of trouble, strife, and controversy, and in the shape of renewed and continued agitation — agitation which will begin from the day which sees such a law placed on the statute book, and never cease till the last vestige of such senseless legislation becomes a relic of the past. I now beg to move in Clause 3, page 2, lines 3 and 4, after "and 2," to insert, "whether he in person, or his landlord, be rated to the relief of the poor."

THE SOLICITOR GENERAL: Sir, any one who heard the speech of the right hon. Gentleman the Member for South Lancashire, and the Amendment with which he concluded, would suppose that, up to the present moment, there was no Act of Parliament in existence under which persons are obliged to be rated to the relief of the poor in order that they may obtain the electoral franchise. Any one who heard the right hon. Gentleman's speech would suppose that up to this time no one need be rated for the purpose of enjoying the franchise; and that by this Bill the Government propose some new law which will make the obtaining of the franchise more difficult, while the measure is one purporting to extend the franchise. A greater mistake cannot possibly exist. The right hon. Gentleman, in a speech delivered, not with reference to this particular Amendment, but a speech intended to be read out of doors with reference to some new Bill of his own, says, that the Chancellor of the Exchequer has stated there are vital principles in the Bill, but that they will be abandoned, and that a measure, of which he has now given us the first instalment, is to be brought in by way of amendment, and carried by gentle, and, if necessary, by strong pressure. That, it seems, is what is to be done for the purpose of getting rid of this Bill. Now, the condition that an occupier is to be rated personally and pay his rates is no new principle in connection with the franchise, and I could hardly have believed that the right hon. Gentleman would have represented it as the semblance of a grievance; for is it a new proposal? Why, the right hon. Gentleman admits that prior to the Reform Bill of 1832 there were forty-eight boroughs in which the right to vote was conferred by paying scot and lot — that is, by being personally rated and paying the rates; and the Reform Act, following that old-established principle, enacted not what the right hon. Gentleman proposes—the payment of rent simply—but that the occupier should not only be rated, but should pay the rates in order to obtain the right to vote at the election of Members of Parliament; and, in addition, the 27th section requires him to have occupied the house for one year, to have been rated, and to have paid all the poor rates and assessed taxes due upon his occupation. And yet it is now said to be a new principle that a person should be excluded from the franchise unless he pays his rates. Then, as to the compound-householders, I shall not follow the right hon. Gentleman into other parts of the present measure, but at once proceed to the history of this compound rating. Let us see what legislation has taken place with regard to them. In 1819 Sturges Bourne's Act passed, the first Act, as far as I am aware, which enacted that the landlord should, with the consent of the vestry, be rated in the case of houses of between £6 and £20 annual value. The operation of that Act was expressly excluded from those boroughs in which there were scot and lot voters. Those voters consequently retained the suffrage until the Reform Act of 1832, when Parliament laid down the principle that no man should enjoy the electoral franchise unless he was not only rated but paid the rates. As therefore, up to the present time, the payment of rates is necessary, except in certain cases, for the exercise of the franchise, I cannot see how the right hon. Gentleman can complain of our proposal, which puts the new voters on precisely the same footing as those enfranchised by the Act of 1832. It must be borne in mind that neither Sturges Bourne's Act nor the Small Tenements Act contemplated the slightest interference with the electoral franchise; and if the principle that the rate and the vote should go together be correct, the existence of those Acts is a mere accidental obstacle, which may be overcome without disturbing that principle. Now, what do we propose? We do not think it right that a man who merely rents a house should be entitled to vote, if the landlord is found on the rate book, and actually pays the rate; but we provide machinery by which a compound-householder, whether below or above £6, is enabled to get upon the rate and so acquire the franchise. We propose to place them in the same position as those above them—the £10 householders—are placed by the Reform Act of 1862. These compound Acts, of which we have heard so much, it is hardly necessary I should remind the Committee, never contemplated when they were passed to interfere in the least degree with the franchise. If therefore the principle be correct that a man who is rated and pays his rates has a right to vote, it is no argument to say that the Compound Householders Act, a mere accidental obstacle, should come in the way of carrying out that principle; and if it is overcome the person who has a right to vote cannot complain. The Small Tenements Act has, in fact, nothing whatever to do with the question before the Committee, because we provide a machinery whereby a person who shall have the right to vote is enabled to get on the rate and exercise the electoral franchise; but if he does not comply with the old and well-established test of being rated and paying his rates, he will not have the franchise. The argument adduced by the right hon. Gentleman the Member for South Lancashire would lead to the inference that we were introducing a new principle instead of an old-established principle of the English Constitution, which was adopted by the Act of 1832, and which, if adopted now, will put the occupier under £10 per annum in the same position as the occupier above that sum. I will not now discuss the proposed clauses to which the right hon. Gentleman has referred, and which he admitted met his objections to a considerable extent, for we shall arrive at them in due time; but I will confine myself to the Amendment which he has moved, and which proposes that, whether the landlord or the occupier be rated and pays the rates, the latter shall have a vote. That Amendment is clearly in opposition to the Act of 1832; and if it is right that the £10 householder shall be rated, I am at a loss to conceive why the £6 householder should not be subject to the same condition. As to the calculations which the right hon. Gentleman went into the other night at so much length, they may be disposed of in one word. The right hon. Gentleman stated that 420,000 persons would be excluded from the franchise by the test that we propose; but the fact is that there is not one of those 420,000 who may not enjoy the franchise by putting his name upon the rate, through the easy process provided by this Bill, and by then paying the rates to which he is assessed. If he does that he may enjoy the franchise as freely as those who are now enjoying it. The case which the right hon. Gentleman has attempted to make out for rating the landlord instead of the occupier is founded on the Small Tenements Act. Now, that Act is in operation in certain boroughs and not in operation in others; it being open to the vestry to decide whether or not the owners shall be rated instead of the occupiers. But what is the object of that Act? Why, it was passed to facilitate the collection of the rates, and without the slightest reference to the electoral franchise. And how does it operate? The overseer does not ascertain whether a particular occupier is respectable and likely to pay the rates; but the Act, if adopted at all, is adopted for the whole parish, and all houses under £6 are rated to the landlords. How do we deal with that Act? We alter it to this extent—that any person living in a house for which the rates are paid by the landlord, and desiring to exercise the electoral franchise, may come forward and say that he is willing to take what is given him under this Bill upon the terms on which it is given, and thus may obtain a vote. And we do so on these grounds—that persons who are likely to accept our terms are also likely to be men, not of migratory habits, but men of stability, residents in a place, and ready to take their share of the parochial burdens. Such men may take the enfranchisement provided for them by this Bill; but those who do not choose to comply with the terms we offer may not. Now, is there any hardship in that? I do not intend to follow the right hon. Gentleman in his somewhat diffuse speech—for he argued five or six questions ahead of that which is before the Committee. I will not stop here to discuss with the right hon. Gentleman whether a lodger franchise is to be granted or not, or to enter upon the various other questions which he raised. Looking to the number of Amendments on the paper, I must confine myself to the question before the Committee—namely, whether the franchise is to be given to a man whose rates are paid by his landlord—whether you are to do away with the principle of the Reform Act of 1832, and of the Municipal Corporation Act of 1836, which was passed exactly on the same principle; or whether you are to have, as regards the electoral franchise for the boroughs, those who are now to be placed on the list of voters, placed there on the same terms, as far as regards their liability to payment of rates, as those who claim under the 27th section of the Reform Act. I will now call attention for a moment to the Small Tenements Act. The effect of that Act and of another passed in 1858 was to cast upon the boroughs, as far as municipal elections are concerned, a very large body of new electors, and the question arose as to whether an alteration in those Acts might not be beneficially made. Upon this question of personal rating and payment of rates I do beg the attention of the Committee to the Report of the Select Committee of the Lords in 1859, on the occasion of Lord Derby's Reform Bill. That Report has been laid upon the table of this House, and I may therefore refer to it. It is immaterial to my purpose to consider the question as to what was the state of things in 1832 as regards compound-householders, to which I addressed myself the other night. My hon. and learned Friend the Member for Richmond (Sir Roundell Palmer) and I were at issue as to the practical effect of the composition of the rate with regard to the electoral franchise; I had the good fortune, however, to find that the view which I took was adopted by the hon. Member for Birmingham, who entirely concurred with me as to the construction of the Act. But we all know the effect that was produced by the operation of the Small Tenements Act—namely, that a large number of occupiers voted although the landlord paid the rates at municipal elections. The question arose whether a man who was not rated and did not pay his rates ought to be allowed to vote at municipal elections. The question was gone into at great length by the Committee of the House of Lords, and I beg to call the attention of hon. Members to what was their opinion on the subject. At page 4 of the Report the Committee comment at considerable length upon the character and condition of the new class of voters. I am not going now to argue whether or not a hard line should be drawn below which no one should vote. I am now only anxious to show what was the effect of the Act as far as a certain class of persons are concerned. After referring to a class of migratory occupiers, the Report proceeds—

> "There is a class of electors of a different stamp, who now vote under the Small Tenements Act. A higher order of artizans often quite as intelligent and independent as the small shopkeepers generally occupy tenements, the rates of which are paid by the landlord, and anything depriving them of the right to vote would be undesirable."

An alteration was accordingly suggested in many respects the same as that proposed in this Bill. The Committee say—

> "The Committee are of opinion that as a test of fitness for municipal affairs as well as a security against corrupt and fraudulent practices actual, direct, and continuous payment of rates should be an indispensable condition of the municipal franchise."

That is what we find to be the opinion of the Lords' Committee of 1859—that in order to winnow away a certain number of electors who were not fit to exercise the right of voting, we should allow those who were willing to be placed on the rate book and paid their rates to have votes; and to exclude the rest. That is what we propose to do now. I have adverted to what has been the course of actual legislation. Now, let me call attention to what has been attempted in what I may call abortive legislation. I have already said that a part, and no small part, of the right hon. Gentleman's speech went to show that it was wrong that the franchise should depend upon a man's being rated and on the payment of rates, and he contends that a man has as much right—whether the right hon. Gentleman means a birthright or a moral right, or what other right I do not know—but, at all events, he contends that it is just and consistent with our legislation and practice that he should have the franchise granted to him whether he pays rates or not. I do not know whether the right hon. Gentleman did not say that any other proposition was "preposterous"—at all events, he contended that it was utterly absurd, and that the House ought to reject it. Well, there were four Bills submitted to the House, in 1852, 1854, 1859, and 1860. I believe the right hon. Gentleman who has told us to-night that the principle of rating is so utterly absurd and ridiculous, had an important share in framing some of the measures produced in those years. I have looked into those Bills to see what was done in each, not dreaming, however, that it was possible that anything like what we now propose could be found in them. The first was the Bill of 1852; and I believe it will be found that it was made necessary then to pay the rates for the purpose of obtaining the extended franchise proposed in the Bill. I come now to the Bill of 1854; and, having heard so much about inequality and the great device of making the occupier be rated and pay his rates, I beg to call attention to Clause 18 of that measure, which I assume the right hon. Gentleman assisted in manufacturing. I find there that, though lowering the franchise in certain cases, the Bill proposes to leave the £10 householder as he was before—to extend the franchise to occupiers of the yearly annual value of £6, but insisting as a test on a residence of two years, and, moreover, that the occupier should be rated during the time of such residence to all rates for the relief of the poor of the parish or township to which he belonged. Such was the Bill of 1854 in which this ridiculous, "preposterous" principle of rating was upheld! I am going to pass over the Bill of 1859, with which the right hon. Gentleman had nothing to do, and I come to the Bill of 1860. When that Bill was prepared I suppose the right hon. Gentleman was quite as prominent a member of the Government, and took as active a part in framing it, as he did the Bills of any previous time. Well, I find in a clause of the Bill of 1860 that the occupier of premises within any city or borough of the clear annual value of £6 and rated to the relief of the poor should be entitled to a vote. Was it "preposterous" that under this Bill of 1860 a man was to be excluded unless he was rated in respect of occupation, and that he was to have a vote precisely upon the same terms as the votes now conferred upon persons who occupy premises of the yearly value of £10? I am not discussing questions which are not involved in the first Amendment; but the right hon. Gentleman, in making a speech, which will no doubt produce a proper effect throughout the country during the recess, mixed these and other matters up; and, forgetting a promise he had made, entered into the whole question whether his new suggested Reform Bill is better than that of the Government, and whether the clause he proposes is better than that submitted by the Government. We have, then, in 1860, the determination of the Government, of which the right hon. Gentleman was a prominent Member, that there should be rating of the occupier and payment of rates and assessed taxes as the condition of exercising the franchise, lowered as it was proposed to be to £6. That was the "preposterous" state of things in 1860. I am not referring to all the Amendments which have been placed upon the paper; I am on the single question—is it consistent with former principles, with former legislation, with the former workings of the mind of the right hon. Gentleman himself, that the landlord is to be rated and to pay the rates, and that, nevertheless, the occupier is to exercise the franchise? Down to the year 1860, so far as I can judge, this new light had never broken upon the right hon. Gentleman. For so many years the treatment of the compound-householders by the Legislature has been intolerable. If he has paid his rates he has got no recoupment from his landlord; yet no helping hand has been extended to him in the Bills of the right hon. Gentleman who now pleads the woes and wrongs of the compound-householder; but now, for some reason, it is discovered that gross inequality and wickedness are attempted to be practised in saying that he is not to be enfranchised unless he pays his rate. What an extraordinary thing it is that this should only now have occurred to the right hon. Gentleman! How was it that in 1860 it never occurred to him? So it is; all this never occurred to him before; but now, in 1867, it does, when he is anxious to pass the Government Reform Bill, and will do everything he possibly can to facilitate its passage through Parliament! He does this by putting a "gentle pressure" upon the Government to withdraw their clauses and promote others which he will bring forward, and by finding out, for the first time, what had never been discovered by any other human being, that there is some intolerable hardship in rating the occupier, although in his own Bills he has made it one essential provision that not the landlord but the occupier should be rated. I am sorry to have had to discuss at such great length so very dry, and perhaps difficult, a subject. We have seen what the law is with respect to these compound-householders. Now, looking at what has been done before the Reform Act and since, and in the Bills to which the right hon. Gentleman has been a party, I ask whether the alteration in the Bill which the right hon. Gentleman now proposes is a just and fair one? When you are granting a large measure of enfranchisement to persons living in houses of the lowest rental, is it not right and proper to require that they should be rated to the relief of the poor and pay their rates, rather than that they should pay something extra in the shape of rent to the landlord? With regard to the alleged inequalities and the abstract question by whom the rates of the compound-householders are paid, let us look at the facts. There is a contract between the landlord and the tenant, and the latter pays so much a week. Does the amount vary from time to time as the poor rates rise or fall? I apprehend not. It is a fixed sum; but the amount of the composition changes according to the exigencies of the parish. Although the sum paid as rent includes the rate, I deny altogether that the rate is paid in the rent in the sense in which the term "payment of rate" is ordinarily used. Without going any further into the question, I say that, in proposing that the occupier shall have a vote upon being rated and paying the rate, and that every facility shall be given him to get upon the rate book and to pay the rate, notwithstanding any obstruction offered by the landlord, the Government have adopted an old-established principle, and not, as the right hon. Gentleman would lead the House to suppose, an altogether new one, which is too "preposterous" to be acted upon.

No hon. Member rising to address the House—

SIR EDWARD BULLER said, he was greatly surprised at the indisposition evinced to discuss adequately the provisions of the Bill. He had anxiously examined the whole question, and he had arrived at the conclusion that here was an attempt to reduce to nothing a great measure, not by clauses in the Bill, but by a reference to Acts of Parliament which were entirely alien to its object, and which had been passed entirely without reference to the question of the franchise. An important question might be asked. Where were we? We had been travelling at a railway pace under the dangerous guidance of the right hon. Gentleman opposite (the Chancellor of the Exchequer). What was really the great principle of the Bill? And what was there to prevent that right hon. Gentleman from accepting the Amendment of the right hon. Gentleman the Member for South Lancashire? The Chancellor of the Exchequer said the principle of the Bill was personal rating. He denied it. There would be many occupiers of houses, shops, and warehouses who were rated, and paid their rates, and yet were without votes. Still further would this principle of personal rating be abandoned if the lodger franchise were adoptod. He had taken a course which the press had called both immoral and pusillanimous. He had been anxious that the Government should have the fullest opportunity of laying their measure before the House; and looking to the language of a noble Earl in "another place"—looking also at the language of the right hon. Gentleman the Chancellor of the Exchequer—having regard to the existing differences of opinion, and being anxious to settle the question — he maintained that he had a right to say that the Government had agreed to submit themselves to the opinion of the House of Commons. For what was the language of the noble Earl at the head of the Government? He said the course of the Government was purely tentative. Well, what was the meaning of "tentative?" Why this—that in a question of great difficulty, they threw themselves on the wisdom of Parliament, and called on Parliament to determine what should be the conditions under which the Bill should be passed. He (Sir Edward Buller) asserted that the principle of the Bill was household suffrage. It was household suffrage, subject to such conditions as the wisdom of Parliament might impose. And the fact that it was so, only proved the truth of the adage that "reality was stranger than fiction." If twelve months ago any prophet had foretold that a time would arrive when a Conservative Government would bring forward a Reform Bill based on household suffrage—if any person, donning the garb of prophecy, had ventured to address the hon. Member for Birmingham and said, "If you look for the success of household suffrage and the dawn of your principles you must look to the Conservative quarter of the horizon"—any one venturing so to prophecy would have been ridiculed and scouted, as having no attribute of a prophet, but insanity. In the language of the Cumæan sybil—

> "Via prima salutis,
> "Quod minimè reris, Graiâ pandetur ab urbe."

He could not understand why the Government, who had invited the House to assist them in introducing limitations into the Bill, should now say that this question of personal rating was one of such vital importance that it could not be abandoned. Having used the small influence which he possessed as a Parliamentary unit to procure the consideration of the Bill, he felt exceedingly disappointed now with this decision. After the declarations of the Government, he thought the proper course for them to have adopted would have been to have stated that while they approved of the plan of personal rating they were willing to abandon it if the sense of the House was against it. That they had failed to do this was a great disappointment to him and to every hon. Gentleman who desired the progress of the measure. It was not the declarations of the Government, but their actions, which induced the belief that they were prepared to adopt Amendments to the measure. The dual voting had been abandoned. ["Question!"]

MR. BAILEY rose to order. He considered that the hon. Baronet was out of order in referring to the principle of dual voting, which had no reference to the clause under discussion.

THE CHAIRMAN said, that the clause opened up the whole question of the borough franchise, and it was open to any hon. Member, in discussing it, to compare the different plans that had been introduced.

SIR EDWARD BULLER: The scheme of the Government had been properly characterized as a double-faced scheme, having one Conservative and one Liberal aspect, and appealing on different and conflicting grounds to the support of both sides of the House. Some of the Members of the present Government were remarkable for their literary lore; now it appeared to him that they had now set up a Pagan divinity, had done him into modern English, and had presented him to the House in the shape of a Reform Bill. This idol, with its two faces, had, however, met with sorry treatment at the hands of its worshippers. The duality of its faces had been destroyed —they had knocked out both its eyes, and he was inclined to think that, before they had done with it, there would be hardly one of its Conservative features that would not be so maimed and battered as to be altogether past recognition. He would not travel over the ground so well occupied by the right hon. Gentleman the Member for South Lancashire; but he considered that one of the principal objections to the measure was that the compound-householders could not get upon the register without an additional payment over and above the rates that were due, and that this payment afforded an opening for an enormous amount of corruption. The electioneering agent would place upon the register the poorest and least independent among the whole constituency, so that the very men whom the House most wished to exclude would be admitted, while those whom they most wished to admit would be excluded. The barriers raised by the Bill were, in his opinion, utterly insufficient. The fancy franchises were quite valueless to counteract the democratic portions of the Bill, and on every ground he felt constrained to support the Motion of the right hon. Gentleman the Member for South Lancashire.

THE O'DONOGHUE could not agree with the hon. Baronet who had last addressed the House in thinking that the Bill was very wide in its scope. If he were of that opinion, he should regard it much more favourably than he did at present. No one would gainsay the truth of the assertion that the task of satisfactorily settling the question of Parliamentary Reform was one of extraordinary difficulty, and had led to repeated failures; and some hon. Gentlemen might, perhaps, shelter themselves behind such an admission from the reproaches to which their own repeated failures had exposed them. Now, he was disposed to inquire whether those failures were to be ascribed to something inherent in the question of Reform—something complex and inscrutable, with which the human mind could scarcely grapple—or whether they were not the result of the manner in which the subject had been approached? If the former assumption were correct, failure could be easily accounted for; but if the latter were the true cause, the House would certainly bring upon itself the well-merited contempt of the country, and would forfeit the confidence reposed in them. He believed that the people of this country had endeavoured to ascertain why it was that the question of Reform had made so little progress; that they had mastered the subject, and had arrived at a conclusion upon it. For his own part he had always held the opinion that this was in reality a question of the simplest character, and that there was only one way of settling it, although he confessed that the events of the last and the present Session had so perplexed him that at times he found it required no ordinary effort to retain his original belief. He acknowledged that after listening to the speeches of the hon. Gentlemen opposite, and more especially to those of the Chancellor of the Exchequer, he had frequently left the House much oppressed with what appeared to him to be a manifest want of comprehension, and with very exalted notions respecting the powers of the right hon. Gentleman; and he had sometimes fallen—though only for the moment—into the not uncommon error of imagining that wise men were seldom, if ever, understood by plain mortals, and that to be unintelligible was one of the most certain indications of wisdom. He had only recovered his equanimity on discovering that he was not singular in his inability to comprehend the meaning of the right hon. Gentleman and his Friends. It was a matter of congratulation that the Reform discussions this Session had been greatly facilitated by the circumstance that no one thought of maintaining that the people of these kingdoms did not want Parliamentary Reform. That they did want it was recognised by all—even by hon. Gentlemen opposite, who had refused to recognise it long after it had become perfectly clear to everybody except themselves. At the present crisis, however, it was important to recollect the obstinacy of hon. Gentlemen opposite last year upon this point; and, bearing that in mind, it was obviously necessary to receive their proposals with caution and reserve. The Tory party had, in defiance of the most overwhelming evidence, persisted in denying that the country was in favour of Reform; and they had done this not from incapacity to judge of the wishes of the country, but because they themselves were opposed to Reform. After persevering in that course as long as they could do so without endangering the public peace, they turned round and announced that they had discovered the true solution of the question. They had contrived to get into office; and then, acting in consequence of pressure to which they must either succumb or sacrifice their places, they had brought in a Bill. Let not hon. Gentlemen opposite, however, suppose that he even insinuated that they had abandoned their hostility to Reform. On the contrary, he gave them credit for the most remarkable consistency on this point, and for an unalterable determination to defeat the objects of those who are Reformers in the sense in which the words were understood by an overwhelming majority of the people of these kingdoms. It was most important at the present crisis to keep in view the fact, now that the Tory party had brought in what was termed a Reform Bill, that there was no more agreement between them and the Liberal party, or the country generally, as to the principles which ought to govern the settlement of the question than there had been at any former period. In proof of this statement he needed only to refer to the present measure, by the leading principles of which—namely, the personal payment of rates, the two years' residential qualification, and the provision for voting papers, or, in other words, by every provision which made the measure something worse than valueless as a Reform Bill—the Government were determined to stand. In his opinion the question of Parliamentary Reform was one of the simplest character. When the working classes—that was to say, the great mass of the people in town and country—asked for Parliamentary Reform it was well understood that they were asking for an extension of the franchise. In their judgment the extension of the suffrage was the very essence of Reform. The question, then, was how the House should meet that demand on the part of the working classes. The parties in the House at that moment might be divided into those who advocated a limited extension of the suffrage because they could not help it, and those who advocated a wide extension on principle. The Bill before the House rendered it plain that those who were in favour of restrictions were represented by the Gentlemen sitting on the Treasury Bench; and the dangers and difficulties which encumbered the question of Reform were solely attributable to what appeared to be the insuperable objection of hon. Gentlemen opposite to sanction such an extension of the franchise as would be accepted even as a temporary settlement of the question. The lateral and fancy franchises, the checks and counterpoises, the philosophical theories about the franchise being a trust, and about the excellence of the British Constitution, depending on the incongruity of the electoral system, had all been schemes invented to prevent the House arriving at a simple issue in respect to this subject. The party opposite objected on principle to any suffrage which might have the effect of opening for a considerable number of working men a straight and smooth passage to the polling-booth. He was, however, certain that no dexterity, however great, could check the onward march of Reform; and it would be unbecoming the dignity of Parliament to accept a Bill which, besides being of an ambiguous and doubtful character, amounted to an evasion of a simple and righteous demand—even if the Reformers in that House should fancy that by some ulterior process, which would, however, entangle them in fresh complications, they might be able to turn the tables on their opponents, and get the better of them by the exercise of superior cunning. The first thing that those who undertook to settle the question of Reform had to do was to establish a character for sincerity and plain dealing. There was only one way of settling the Reform question, and that was by extending the franchise; and though there might be diversity of opinion as to the form and degree of the extension, there existed great unanimity on the point that the extension should be considerable, and that the creation of votes should not be left to any chance agency whatever. According to the plan of the Government, every man who lived in a house should exercise the right of voting if he personally paid his rates. There were multitudes of persons living in houses under a certain value who were debarred from the right of voting, and were most deeply interested in the settlement of this question of Reform. These were the very persons to whom the Chancellor of the Exchequer affected to offer the franchise, though he proposed as necessary for its attainment a condition almost impossible to be complied with; for in the case of the municipal franchise the direct payment of rates had proved almost a complete barrier against obtaining the franchise. He could not understand how any one favourable to such a liberal extension of the franchise as was necessary for the settlement of the Reform question could sanction a Bill like the present. He thought that in no case should the personal payment of rates be necessary; and therefore he should vote for the Amendment, believing it to be essential to the further progress of Reform, believing it to be proposed in a spirit of sincerity and wisdom, and hoping that it might prove the fortunate means of bringing together the friends of Reform, who, unless he was greatly deceived, formed the majority of that House.

Mr. KENDALL said, that as regarded this question of Reform, he was desirous to place on record his justification for the step he was about to take. So far as his individual opinions went, he was very sorry when he heard that the Government had thought it necessary to bring in a Reform Bill. In 1859, when a Reform Bill was brought forward by a Conservative Government, he opposed it, for he thought it came badly from them. That Government lost office, and was succeeded by one under the Premiership of Lord Palmerston; and when he (Mr. Kendall) looked round the House and saw Lord Palmerston, he used to think that the noble Lord was the best Conservative in the House—that he was the only man who knew how to manage the hon. Member for Birmingham (Mr. Bright). He knew how to thwart him—and hence the hon. Member for Birmingham entertained for him as much hatred as one man could harbour towards another. Before the noble Lord died, a coalition had taken place between the right hon. Member for South Lancashire and the hon. Member for Birmingham—a very powerful combination he was quite ready to admit; but as so long as the noble Lord lived it was unsuccessful. But no sooner was the noble Lord lost to the country than the question of Reform assumed another phase, and the Bill of last year was the consequence. The real author of that Bill, as of the present Bill, was the hon. Member for Birmingham. But for that coalition there would have been no Reform Bill—no Reform League—no meeting in Hyde Park, or in Trafalgar Square. The Bill of last year was lost, and a new state of circumstances had arisen, and he (Mr. Kendall) found himself placed in a situation of some embarrassment. He could not shut his eyes to the fact that there were very many sensible, hard-headed, unyielding Conservatives who were of a different opinion now from that which they had expressed when they saw that there was no desire for Reform. Things were very different now, they argued; and as there was a deep-rooted feeling of discontent planted in the minds of men, it was desirable that a large measure of Reform should be introduced by Her Majesty's Ministers, whose motives should be above suspicion. The Government introduced a large measure of Reform. Then it became necessary for him to ask himself, "What shall I do?" He held very strong Conservative opinions. When he met his constituents, who were a very independent body of men, three or four months ago, he told them that he earnestly hoped that the Government would not bring in a Reform Bill, and that they would not take the speeches delivered at the meetings that had been held represented the opinions of a large proportion of the people; but he added, that if the Government should in their discretion determine to bring in a Reform Bill, they would find that he had changed his opinions, at least that he had supported the Government. He (Mr. Kendall) had been anxious to test whether all the appeals that had been made to the people and for the people were genuine or not. He had heard the other evening that the hon. Member for Birmingham and the right hon. Member for South Lancashire, at a meeting held in the house of the latter, had tried to strangle the Bill before it got to the second reading; and from the same quarter he had heard phrases which struck him as peculiar, such as an "unskilled peasantry," the "substrata," and shortly afterwards the "residuum." He should like to know what some of the lower orders would think when they heard of such terms being applied to them by Members of Parliament? He had associated during the last forty years with all classes of his countrymen, and his honest belief was that household suffrage would bring in a large number of men, honest, simple-minded (using the word in the best sense), who in disposing of their votes would look to men of respectability and character, and would vote for them in preference to excitable men. But this did not suit hon. Gentlemen opposite. He protested against the franchise being dealt with as if it were to be put up to a Dutch auction. He did not think that such a course was dignified. There was this thing to be said for household suffrage—that it presented something simple and intelligible, and that could not easily be mystified. In large towns a workman, who was a good workman, need not to seek for work, for he was known, and respected, and employed; and therefore the argument of the right hon. Gentleman as to such a man having frequently to change his residence in order to follow his work was futile. He was satisfied that the whole question of Reform had been brought about by agitation in the country; but still, if Her Majesty's Ministers thought that they ought to give the franchise to the working classes, he thought that they ought to go to some good resting-point; and, in his opinion, the resting-point which they had chosen was a very good one. He understood this point to be household suffrage, accompanied by residence and payment of rates. He hoped that the Government would stick to their colours so far as the main points of the Bill were concerned, and that they would rather go to the country than be driven into adopting any course which they did not think was a right one. At the same time, he hoped that they would be ready to cede points which did not involve any principle; and he was sure if they acted in this way that they might either carry their measure, or, in the event of defeat, appeal with success to the country.

SIR WILLIAM HEATHCOTE said, it was absolutely necessary, in dealing with the Amendment now under consideration, that it should not be regarded as an isolated proposal for dispensing with the personal payment of rates, but as combined with the subsequent Amendment, by which no householder below £5 a year of rateable value should be admitted to vote at all. The two modes of extending the suffrage, which were offered on the Opposite sides of the House, must be considered each as a whole. The Government proposed household suffrage absolutely unlimited by any test of value, but subject to the conditions that the house should be rated and the rates thereon paid by the occupier. His right hon. Friend the Member for South Lancashire (Mr. Gladstone), on the other hand, proposed that the suffrage should be given to such householders only as were rated at £5 a year and upwards, but that the payment of the rates thereon should equally qualify the voter, whether it was made by the landlord or the occupier. In the whole course of a long Parliamentary experience he had never felt himself in a more unsatisfactory position; because he could give an unqualified approval to neither of the two alternatives. He nevertheless felt bound to deal with them in the best way he could, for he concurred in the opinion, so generally expressed, that it was most desirable that the question of Reform should be settled during the present Session. He did not profess to be a believer in Reform in the sense of believing that of the varied and sometimes conflicting forces which gave impulse to the great and complicated machine of English Government, it was the popular portion which most required to be strengthened at the time; nor in the sense of believing that any Reform which they were likely to pass would produce, or have any tendency to produce, improvement in the composition or quality of that House, or in the thoughtfulness, wisdom, and impartiality of its legislation—still less that it would tend towards greater sagacity and self-control in defining clearly, and maintaining steadily, the limits between due watchfulness over the Executive Government, and that usurpation, to which popular assemblies are prone, of arrogating to themselves Executive functions. But he still recognised the position in which he found the country; and, as a practical man, he admitted the pressure of facts. He saw the position into which Parliament and the country had been brought, and he was ready to accept the remedy to which eminent men on both sides of the House had committed themselves—that of Parliamentary Reform. This being so, when he said that he would accept Reform as the remedy, he intended to do so frankly and fairly. He did not desire to go very far or very fast on what he thought a doubtful road, and he did especially desire to make the resting-place, wherever they stopped, a safe one; but, with this consideration in view, and even especially on account of it, he wished that whatever was given, should be given without grudging, and not in a manner which might suggest a doubt whether they were pretending to give what was, in fact, withheld; and, above all, he was unwilling to incur the risk of introducing provisions by way of safeguard, which were charged with elements of discord and irritation, and would contain in them, from the very beginning, the seeds of their own dissolution. Approaching this subject in this frame of mind, he was not satisfied with the Bill of the Government, which, with reference to the borough franchise especially—that franchise being for the purpose of the present discussion, in effect the Bill—failed to satisfy the conditions which he had laid down. It seemed to him that, with remarkable infelicity, it combined faults which apparently were inconsistent with each other; but they were not such as to neutralize each other and to produce some middle term, but such as would develop their own mischiefs independently, but not without mutual aggravation. He was in dread of this Bill, because it was grudging, and because it was lavish; because it was timid, and because it was rash; because it irritated by capricious and unnecessary restrictions, and because, at the same time, it put weapons into the hands of the very men whom it irritated, and tempted them to sweep away the restrictions, and probably, in the heat of contest, a great deal more. The suffrage which this Bill professed to confer was household suffrage absolutely unlimited, and descending to the meanest cabin which could be used as a human habitation, subject only to a certain condition as to rates. But this condition had no reference to the amount of rates as a test of value, but only to a question wholly collateral and governed by considerations of social convenience — namely, the question whether the occupier paying the rates, as he must, in one form or the other, did, in fact, pay them in the shape of rent to his landlord, or directly to the parish collector. The answer to this question would depend on no uniform rule, but sometimes on local Acts of Parliament, and more often on the special and varying circumstances of each borough, and of every separate parish within it, and on the judgment, or it might be the caprice, or the political bias of each parish vestry, adopting, rejecting, and adopting again, as they might think fit, the provisions of the Small Tenements Act, and thus in neighbouring boroughs, and even in adjoining parishes of the same borough, there would be men of equal position unequally treated in this respect. Nor would this inequality be ordinarily corrected by enabling the householder whose rates were paid by the landlord —the compound-householder as he was called—to claim to be himself rated, and thereby to acquire a vote. He would claim under disadvantage, and even under the direct pecuniary penalty of having to pay more than the amount of the composition, which alone could be recovered from the landlord, without in turn fining him. The end of all this would be that, except under special stimulus, the numbers claiming would not be great; but when passions were excited, or corruption was at work, it would be easy to flood the register with voters, who, whatever else they might do, would combine as one man to get rid of all restrictions which depended on rating. Probably two years would not elapse before this Reform of the Conservative party would be found to have ended in household suffrage pure and unlimited, and wholly unconnected with rating in any form. He could not therefore support the proposal of the Government in its present form; but must look for some amendment of it. There was in the House a prevalent opinion, in which he did not altogether concur, that the Government Bill should be accepted as the instrument by which Reform was to be effected, and that even those who most disapproved of its provisions should endeavour rather to remodel them, than to reject the Bill and begin *de novo*. He doubted whether this had been wise; whether time had not been lost; and whether, in dealing in Committee with fragmentary and partial Amendments of which the mutual connection was not always clear, we might not drift into legislation less clear and less consistent than if the original conception and the ultimate development of the measure had proceeded from the same mind and had been governed on the same principles; and he was quite sure that even if the second reading was allowed to pass, it would have been very advantageous if at a subsequent stage; but still, before the discussion was reduced to one of mere clauses in Committee, the subject of the borough franchise could have been presented to the House as a whole. For that reason he should have been glad if his hon. and learned Friend the Member for Exeter (Mr. Coleridge) had moved the Instruction of which notice had been given. Having gone into Committee, however, hon. Members must make the best of their position. He could not himself expect to obtain such an enactment as he should entirely approve; but in the proposals of his right hon. Friend (Mr. Gladstone), taken together as a whole, he saw something more hopeful than in that of the Government—a definite point below which there should be no rating of the occupier, and no voting for him under any circumstances, would be at least intelligible—not capable of capricious variation, and not establishing a perpetual blister of irritation; while it would remove the most dangerous part of the new voters. The removal of the necessity for personal payment of rates above that limit would be the removal of a security of which the importance was, in his opinion, greatly exaggerated, and even in the most favourable circumstances, where compound-householders existed, it was the source of serious evil. He thought the £5 annual rating limit would be likely to endure for many years; but he saw nothing in the proposition of the Government which would prevent its being assailed with success next year. It was impossible for him, holding as he did these views, to hesitate a moment as to the way he should vote. He regretted that the Chancellor of the Exchequer should have stated that it was impossible for the Government to accept the proposal of the right hon. Member for South Lancashire on the ground that it was inconsistent with the principle of the Bill. There were two ways in which a Government might deal with questions of this nature. Thus, a strong Government which had long considered a certain subject might bind up its existence with a certain definite point, and consider an adverse vote as a Vote of Want of Confidence. But when a Government was confessedly in a minority, having assumed the Government under very difficult circumstances, and having brought forward a Reform Bill, with respect to which, its manipulation and ultimate form, they had avowedly called the House of Commons into counsel, it would be no disgrace to them if they had declined to pin their existence upon the fate of one or two of the provisions of that Bill. Such a course was unnecessary, and was not required by their honour. But he must confess, with all the regard he felt for the Government, he could not allow himself to be affected, so far as his vote was concerned, by the consequences of a defeat which had been held out by the Government. Amongst all the claims which the Members of the Administration had to his confidence, he certainly should not put in the most prominent place the manner in which they were endeavouring to deal with the question of Reform.

MR. HIBBERT said, he was sure the House would grant him a few minutes of their attention whilst he stated the object of the Amendment which he had placed upon the paper. He confessed he should have been released from a position of great difficulty if the right hon. Gentleman the Chancellor of the Exchequer had given him a definite answer to the question he had put to him in the earlier part of the evening. He must say he felt some difficulty in voting against the Amendment of the right hon. Gentleman the Member for South Lancashire while those restrictions in respect to the compound-householders were allowed to remain in the Bill. If the answer of the Chancellor of the Exchequer to his question had been in the affirmative, he should unhesitatingly have voted against the Amendment of the right hon. Gentleman the Member for South Lancashire, because he decidedly objected to the restrictions which a portion of that Amendment would impose upon all those who were rated under £5. A great deal had been said about the disfranchisement of certain classes under the Government Bill; but he thought that a much greater disfranchisement was proposed by the Amendment of the right hon. Gentleman the Member for South Lancashire. If facilities were given to the compound-householders to get their names upon the register in the way it had been suggested, he believed that a great number would be added to the constituency; whereas, if the Amendment of the right hon. Gentleman the Member for South Lancashire were accepted, no householder rated below the line of £5 could by any possibility obtain a place upon the register. He therefore looked upon the Amendment of the right hon. Gentleman as a disfranchising clause. The first Amendment placed hon. Members in a position of great difficulty, because, if carried, it would seriously interfere with the principles of the Bill, and would therefore endanger its passing. What had been the history of rating as regarded £10 occupiers under the Act of 1832? By that Act every voter was required to pay the rates due in April before July; but by another Act he was only required to pay the rates due up to the previous January. The Reform Act of 1832 also contained a clause which enacted that, where the owner was rated and paid the poor rates, the occupier should be entitled to have his name placed upon the register upon paying or tendering the full amount of his rates; and thus he had to pay his rates twice over, which was a serious hardship. Then came the Compounders Act, which enabled compound-householders to have their names placed once for all upon the register by paying the amount of the compound-rates, instead of, as formerly, the full rate; and this was a point that he trusted the Government would concede in reference to the present Bill. He did not desire to interfere with the wish of the Government in respect to personal rating. What he wanted was to avoid putting the compound-householder in the position of paying a fine. When paying his rent he also in effect paid his rate. If therefore he was called to pay the rate in order to qualify himself for the suffrage, they would really be calling on him to pay the rate twice over. If they took away the fine they were imposing, and said that the compound-householder should only be compelled to pay a compound rate, the Government would be doing away with a great grievance in regard to the compounder, and allow him to obtain the franchise easily and without those restrictions which were so objectionable. In the new clause respecting compound-householders it was proposed, when the overseer received the claim, that he should insert the name of the occupier on the rate book; the overseer then would give notice to the owner that the occupier had claimed; and thenceforth the owner would be discharged from his liability. It was further set forth that the occupier should be enabled to deduct from his rent the composition rate; while another clause provided that if the occupier did not pay the rate the overseer should give notice to the owner, who should be again called upon to pay the composition rate. Now, this arrangement was one that would import great difficulty into the question, because there would be, on the one hand, the occupier paying the full rate, and, on the other, the owner paying the composition rate. He was sure that the mode of carrying out the proposal of the Government would be much facilitated if they gave way on this point. In reference to the £5 rating Amendment, he could state that in the borough he represented the Government Bill would qualify 11,000 additional voters, of whom practically not more than 7,000 or 8,000 would come upon the register; but if the Amendment of the right hon. Gentleman the Member for South Lancashire were carried, the effect would be that 5,000 or 6,000 would be disfranchised and no longer qualified to be put on the register. That was the reason why he thought the Bill of the Government so elastic and so expansive; and that though it contained some strong restrictions which ought to be got rid of, yet it would afford a wider base than the proposition of the right hon. Gentleman the Member for South Lancashire. On that ground he felt anxious that they should come to some arrangement on the question, and not again make the same mistake they made in 1859—throwing the Bill overboard—and then having another Government bringing in another Bill in the next Session only to be shelved in its turn, thus getting no further on with Reform than they had done years before. The country desired a settlement of the question; and although the Government had not given them so liberal a measure as they would have wished, yet it was one which was capable of expansion, and might be made acceptable to the country.

Colonel BARTTELOT said, the hon. Gentleman the Member for Oldham, who had just sat down, had put the case before the House in a practical light, which was more than could be said of many of the speakers they had heard that night. He had hoped that the House, or at any rate that the independent Members of the House, had fully determined, if possible, to come to some amicable and just settlement of this important question; though he could not say the speech delivered by the hon. Gentleman the Member for Tralee (The O'Donoghue) was calculated to effect that object. That hon. Gentleman had said everything he could to upbraid and abuse hon. Members on the Ministerial side of the House for doing what they believed to be right on this subject, with a view to the peace and happiness of the country. But surely if they had formerly done wrong, and now evinced a disposition to meet the views of our fellow-countrymen who were anxious for Reform, and saw that the time had arrived when an endeavour should be made to settle the question, they ought not to be upbraided for attempting to do that which would tend to produce the peace, happiness, and tranquillity of the country. Many topics had been urged that night which would have been more appropriate on the debate on the second reading. The Question now before the Committee was that of the borough franchise; and with regard to that, he might say that they were all agreed that the franchise ought to be lowered, the only question being how it was to be done. The Government proposed one plan for doing it; the right hon. Gentleman the Member for South Lancashire another. The right hon. Gentleman proposed an Amendment which, if carried, would overthrow the main proposition of the Government—namely, rating and residence. By that principle he believed the Government and its supporters were determined to abide, though they were willing to give way on other points. They believed that rating and residence were absolutely necessary and essential. To them they intended firmly to adhere; but on other points they were liberally disposed to give way to the opposite side of the House. He hoped that the propositions which had been made by his right hon. Friend the Chancellor of the Exchequer, would be found to be just and fair. A great deal had been said about compound-householders, and no doubt it was a very important question. They ranged from £30 in some boroughs to £5 in others. Originally the composition was for houses from £6 to £20 per annum; but by many local acts the amount ranged in various boroughs so high as from £10 to £30. Now, he thought the system of compounding was altogether a mistake—that it was bad in principle—unjust in its effect—and ought to be entirely done away with. When the Parochial Assessment Act was passed the right of compounding ought to have been got rid of as being unjust in principle and bad in practice. As was stated on a former occasion by the right hon. Gentleman the Member for South Lancashire, there were upwards of 5,000 compound-householders in Lambeth on the register, while those in Camberwell were not on the register, and therefore had no votes; and he perfectly agreed with the right hon. Gentleman when he said it was unjust to leave it to the local authorities to decide, and it was therefore high time that something should be done to alter the law in that respect. In Lambeth the local rates were excessively high, and as the Committee was aware, the county rate was becoming a very serious matter. He found from a correct Return of the amount of rates collected in Lambeth that there was collected for the poor rate, £92,904, of which £10,616 was for the county rate, and £17,260 for the police rate, making in all £92,904 collected upon the poor rate. He would not take the other rates. Well, how did the system of compounding work in Lambeth? In Lambeth, for house property, 20 per cent is deducted from the rateable value, which reduced a £30 house to £24; and the compound-householder was only rated at one-half that amount; therefore, he was rated at £12 only instead of £24. The consequence of which was that the parish of Lambeth paid the poor rate on that composition, householders over £30 paying the full amount, and compounders paying at the rate of only one-half. Therefore, with regard to the county and the police rates, those rates were paid by the parish over again, because the people compounding had only paid a certain amount of their rate. As everybody knew, the county rate was a fixed sum asked for upon the parish, and, consequently, if these people paid only one-half, the rest was distributed over the whole parish, and the parish had to pay over again what the compound-householder ought to have paid. If they abolished the compounding system there would be no pretext for saying that the smaller occupiers would have to pay a fine if they wished to get the suffrage. It was the same in many other cases; and therefore it was that he said that the compound system was unjust and unfair, and should be abolished altogether. Then, with regard to the Small Tenements Act, which applied to houses of £6 and under, every one who was acquainted with its working must admit that it was a law which benefited the landlord and not the poor man; because every one knew that a man was charged with the full amount of the rates in his rent. The man, therefore, who came upon the register by this Bill should deduct from his rent the full amount of the rates he had been called upon to pay; and where, then, was the injustice complained of? If they lowered the franchise down to household suffrage they had a right to say, in the words of the hon. and learned Gentleman the Member for Sheffield, that the man who exercised the privilege should be a respectable man and not a wanderer. Calling upon him to pay rates was no injustice to him, but the payment showed that he was a fit and proper person to exercise the franchise; and if this Bill was carried, it would be a great boon to the country. He hoped his right hon. Friend the Chancellor of the Exchequer would persevere in his course with regard to the rating and residence clause; if he did, and put his horse straight at the fence, his following would be large; but if he swerved, it would be impossible to say what it would be. If he persevered, which he was sure would be the case, he would be followed by a large number, and he would then carry to a successful issue a Bill for which he would deserve the thanks of the House, and for which he was sure the right hon. Gentleman would receive the gratitude of the country.

Mr. COLERIDGE thought it would now be admitted that at last they had a clear and intelligible issue to debate and go to a division upon. Whatever might have been said by the right hon. Gentleman the Chancellor of the Exchequer, as to the difficulty in understanding the terms of the Instruction which stood on the notice paper on Monday last, but his difficulty was not shared by the Secretary of State for India or the right hon. Member for Oxfordshire, who both said it tendered a distinct and intelligible issue — though the right hon. Gentleman the Chancellor of the Exchequer said he could not understand it. At all events, the issue now before them was short, clear and distinct. Everybody could understand what they were going to vote upon that night, and he supposed that every hon. Member had made up his mind pretty well what his vote should be. But he much regretted that the Chancellor of the Exchequer should have thought fit to make that the *articulus stantis aut cadentis Administrationis*; for he must repeat what he had said with perfect sincerity on Monday, that he should regard it as a calamity if this Bill were not passed in some shape that year, and a great misfortune also if it were not passed by the present Government. He would support the Motion of the right hon. Gentleman the Member for South Lancashire not from the slightest desire to change the side of the House on which he sat—["Oh, oh!"] What! Did hon. Gentlemen opposite forget what occurred last year? Were they utterly incredulous as to the possibility of tendering Amendments to the Government without having a factious object in view? They could scarcely, after their own conduct last year, receive such a statement with taunts of incredulity. Why should they taunt him? Was it the recollection of their conduct last year? He thought better of hon. Gentlemen, and repeated that those on his (the Opposition) side of the House would support the Amendment of the right hon. Gentleman the Member for South Lancashire with no desire to cross the floor of the House, but because while they were bound in common honesty and consistency to obtain, if possible, a liberal measure, they were equally bound, in common honesty and consistency, to refuse any measure that did not bear that character. He perfectly agreed with the hon. and learned Gentleman the Member for Sheffield (Mr. Roebuck) that this subject ought to be dealt with broadly, and not, as he believed the hon. Member expressed it, in any pettifogging spirit. But the hon. and learned Gentleman would also probably agree with him in the opinion that broad views were apt to become shallow unless founded upon something like an intelligent comprehension of the facts of the case, and a complete mastery of the whole of the details. It might, therefore, tend to clear the view of the question if they ascertained fully what objects they desired to achieve by the Bill now before the House, and if they ascertained whether the Bill and the clause, in their unamended shape, would be likely to effect the object they had in view. Now, probably, all desired an extension of the franchise—at all events, hon. Gentlemen sitting near him required a considerable lowering of the franchise. And that for many reasons. First of all, there had grown up since 1832 a great body of the people, whom they on that side of the House believed to be fit to exercise the franchise, and which had not been extended to them; that being so, they said it was not wise, it was not just, and he would take the liberty of saying it was not safe, to insist upon their further exclusion. The constituents who had sent them to that House as their representatives expected them at least to do something to attain that object. And, while any Bill fulfilling the requirements to which he had alluded ought to pass, no Bill ought to be accepted if it failed to meet these requirements. Now, he ventured to think that as long as the clause they were discussing continued in its unamended form, these requirements were not met. He believed, however, that they would be met if the Amendment proposed by the right hon. Gentleman the Member for South Lancashire were adopted. It was upon these grounds that he accepted these Amendments, believing that they would make the measure satisfactory, and one which the country would readily accept. And it was clear, to his mind at least, that by the present clause in its unamended form, and by the 34th clause, which must be taken in connection with it, that a large number of persons who were entitled to the franchise would still be excluded by the operation of this Bill. Therefore, for the reasons he had given, he said the Bill ought not to pass. A good deal had been said—he was not going to detain the House on the subject—about the operation of those two clauses on those householders who paid their rates in their rent. It was said that they would have to pay a larger sum for rates than they did now if they desired to exercise the franchise. That was a point which lay upon the surface of the Bill. It had been denominated a fine upon the tenant; but that was a merely verbal matter, and he would not detain the House upon it now. The only answers to the statement had been made by the President of the Poor Law Board, his hon. and learned Friend the Solicitor General, and the hon. and gallant Gentleman the Member for Sussex. As far as he could understand their answer, it was that this was no objection, inasmuch as the operation of the Small Tenements Act would be applied to this Bill, and as applied to this Bill, whatever a tenant so paid, he would be entitled to deduct from the payment to his landlord. But, whatever else the Bill did, it could not do that, because that would most distinctly be a fine upon the landlord; because, by the hypothesis the landlord had already compounded for his rates, he already paid them; and to make him pay over again would certainly be a fine upon him for that which he had not got but which some one else had obtained. He thought, however, that the question was one not worth much discussion, inasmuch as it was, after all, merely a verbal one. It was evident that more money would have to be paid by such person, if he desired to vote, than was paid by him before, and that that was the fact was evident from the Report of the House of Lords' Committee, from which his hon. and learned Friend the Solicitor General had quoted that evening, so that, in point of fact, those clauses would exclude many persons from claiming the franchise to which they were otherwise entitled. He ventured to submit that it was idle to argue that that ought not to be the case, because they knew that, in point of fact, it would be so if this Bill passed. They must deal with men as they found them. Living as they did among the friends of Romulus it was idle to argue questions as if they had to do with the citizens of Plato's Politeia. The answer was merely a verbal one. If by paying the rates men were still excluded who ought to be admitted, the mischief was done which ought not to be done, and ground for future agitation was laid which ought not to be laid—a result which might be avoided, he believed, by the adoption of the Amendment proposed by the right hon. Gentleman the Member for South Lancashire. But, further, the right hon. Gentleman the Chancellor of the Exchequer made that the very ground upon which the Bill was recommended to the great Tory party, of which he had told the House last year he was the Leader, and of which this year he was the honoured, trusted, he might almost say the worshipped Minister. The right hon. Gentleman appeared to assure his friends that there was no cause of alarm, that though a rush of new voters might result from the Bill at Stoke-upon-Trent and some other large towns, yet, on the whole—taking the whole country—the operation of the safeguards introduced would afford sufficient protection to the party over whose interests the right hon. Gentleman was bound to be especially careful. The right hon. Gentleman might recommend his followers to pass it as a really Conservative measure. That was, however, all very well. Such arguments might be excellent good reasons why hon. Gentlemen opposite should pass the Bill—they might be excellent good reasons why it should recommend itself to their understanding. But they were also excellent good reasons why

Gentlemen on that side of the House should regard the measure as a bad one—why they should refuse to pass it, and in common honesty and consistency refuse to accept such a Bill presented to them by the right hon. Gentleman. But more than that—the exclusion which was to be applied by checks, was necessary to the object of the Bill. If the exclusion was fully carried out the numbers admitted would be ridiculously small; if the principle of inclusion was adopted they would be landed in household suffrage pure and simple. Now to household suffrage pure and simple, he had individually no objection. He viewed such a result without the slightest fear or apprehension, because, on the whole, he thought that intelligence, wealth, education, station, and other social distinctions of that character would exercise their due influence in the country, and would keep us pretty well where we were at present. But though he did not personally object to household suffrage, pure and simple, he thought that such a consummation was not one for which hon. Gentlemen opposite were yet perfectly prepared, and he very much doubted whether it was one for which the country was altogether prepared—reasons why, in his opinion, a progress in that direction ought to be slow and gradual. But, further, he would submit to the House that the combination of rating with the franchise was a bad thing, as it tended to confound two matters which were essentially distinct. Rates were affairs that appertained to parishes, to counties, and to municipalities, while voting was an affair of the State. Persons practically acquainted with the law of rating would agree with him that it would be extremely inconvenient to carry the present system any further. He might perhaps be permitted to mention a matter which had fallen under his observation a few years previously. In one of the largest places in the kingdom there had been a semi-political quarrel which disturbed the peace of the inhabitants and interfered with the prosperity of the town. Both parties agreed to refer their disputes to the right hon. Gentleman the Member for Oxford, in whom they had confidence, and he (Mr. Coleridge) acted as assessor in the arbitration, and therefore had none of the feelings of a partizan in the matter. It was proved, and not denied, that it being deemed important to disfranchise a large portion of the population—not the Parliamentary, but the municipal voters—the political party which had the ascendancy made certain regulations about the payment of rates which practically disfranchised about one-half of one of the political parties in the city for two or three years. The time for the payment of the rates, the coin in which the rates were to be paid, and other conditions were made as inconvenient as possible. In vain were checks tendered for payment of the rates. The answer was that there must be personal payment of rates; and the result was that many of the ratepayers did not go to vote, and were practically disfranchised. Any one who had had experience of the working of the Revision Courts must know that under Sir William Clay's Act there must still be a claim, and that this claim once made was valid until some objection was taken to it, and the man's name was removed from the rate book. The way in which the matter worked in boroughs in which there was anything like political excitement was that the whole thing was done by the Parliamentary agent. And if what they heard was true, he also paid the rates: and if this Bill passed it would become a question whether, the rates being small, the landlord or the candidate should pay them, and being one and not the other, he should for himself prefer that the landlord should pay the rates. He might be told that there was a clause declaring the corrupt payment of rates to be bribery, and providing for the prosecution of parties guilty of these practices. But who was to prosecute? How was it to be done? It would become a dead letter. It was idle by such migratory provisions to think to prevent the corrupt payment of rates. He did not blame the Government: all that they could do they had done: but any one who knew the working of these matters must feel convinced that such a clause would be utterly and entirely inoperative. The Solicitor General had been rather contemptuous towards his right hon. Friend the Member for South Lancashire, and those whom he was pleased to call his satellites or followers, and he referred to certain Reform Bills in which there was not to be found this provision for the payment of rates. Having never had the good fortune to be a Law Officer of the Crown, he did not know whether the Solicitor General was a satellite or a follower; but he thought the hon. and learned Gentleman might have been a little more courteous in his treatment of his right hon. Friend. The hon. and learned Gentleman could not have read his brief, or else he would have known that although in three or four Bills, the details of which he had brought before the House, there had been no exemption from rates, yet so far back as 1847, Sir De Lacy Evans and other Reformers had put their fingers on this blot, and from 1847 to that hour they had been persistently agitating for the removal of the ratepaying clauses, as not having anything to do with the franchise. This was one of the great objects of the Parliamentary agitation of which Mr. Hume was at the head. The hon. and learned Gentleman might have told the House that from 1847 to the present time the opponents of the removal of the ratepaying clauses on that side of the House were men of whom he desired to speak with respect, but who were bound up with the principle of the Bill of 1832, in which payment of rates had been insisted upon, and therefore in most subsequent Bills the principle was included. His hon. and learned Friend must have known that up to 1832 rateability—namely, liability to pay rates—was a Common Law incidence of the franchise, but that the actual payment of rates was first made a qualification by the Reform Bill of 1832. That qualification had been struggled against from 1847 to last year, when it disappeared from the Reform Bill of that year. Surely the hon. and learned Gentleman ought in common fairness and candour to have mentioned this fact to the Committee, for that Bill did not make the payment of rates any part of the qualification for the franchise. The argument of the hon. and learned Gentleman was in fact nothing but a miserable *ad hominem* argument. What was still worse in the Bill of the present Government was that it did not appear to him to afford the elements of a settlement of this question. Assuming the correctness of the figures quoted by his right hon. Friend (Mr. Gladstone) last year, did they suppose they had got in this Bill the elements necessary for a settlement of this question for even five years? He believed that, on the contrary, they were laying the foundation of a most dangerous, because a justly founded, agitation. They were introducing into some parts of the country a principle which they dared not refuse to others: and he would go further, and say that they ought not to refuse it. He did not pretend to be one of those who, on the principles of the rights of man, held that every one was born a voter. He agreed with the opinions expressed in the work recently published by the right hon. Member for Calne (Mr. Lowe), that right was the creature of law, and that it could not have any existence antecedent to the law which created it. But did the hon. and learned Gentleman—did any one—deny that there were great moral equities in politics which no prudent and sagacious politician would disregard? Would he say that if the franchise were granted to a great number in one part of the country it could be refused to persons similarly situated in another part? It was to his mind idle; and therefore was plain to him that this Bill could not and ought not to satisfy the country. He might be foolish, but he confessed he viewed with alarm the passing of a Bill of this kind. The people of England had up to the present time conducted themselves with singular forbearance and self-control. He passed by certain stormy and tumultuous meetings:—he did not forget the use of strong, perhaps violent and even unjustifiable, expressions: those things did and would occur in every great political agitation: but, on the whole, the attitude of the people of England had been marked by singular dignity and moderation. It could not be said by hon. Gentlemen opposite that the public had shown no interest in this question of Parliamentary Reform. Both parties now agreed in this—that the Reform question had assumed proportions which rendered the immediate dealing with it a matter of great political necessity. They knew that the House of Commons was at last in earnest in the matter, and he did not think it either wise or safe to disappoint the people. His hon. and learned Friend the Solicitor General, fresh from the study of the statutes of Henry VI., should have taken a corresponding dose of Hume before he told the House with airy gaiety how easy it was to pass a disfranchising Bill without causing an insurrection. If he had studied Hume he would have found that there were such persons as the Earls of Northumberland and Warwick, and Barons of that class, who would have had something to say to a popular uprising—in whose presence the manifestations of popular discontent would not have been tolerated, and who, if he might venture to parody the famous saying of Macaulay, would have refuted a discontented voter by about the sharpest possible argument that could be addressed to a human being. It behoved the House to remember that when once the flood-gates of popular passion were set wide open, order and reason, and holier things still, were sometimes borne down and swept away by the angry torrent; and that there was the greatest difficulty in stilling the troubled waters. This was not spoken as a threat or anything of the sort; he hoped he knew his duty as a Member of the House better than to menace or threaten, which would not only be utterly discreditable, but most foolish also. There was no safer mode of confirming a high-spirited and honourable man, in his opinion, upon any subject, and of making him shut his ears to argument with reference to it, than by making the question one of personal peril. The right hon. Gentleman the Chancellor of the Exchequer, when dealing with this question, accepted the figures for the nonce, told a capital story in a cynical way about Sir James Graham, who once exclaimed, " Let us get out of the region of *Nisi Prius.*" If, however, clever *Nisi Prius* was to meet one point by point, to travel over the argument and destroy one's facts, and show a man upon his own ground that he was wrong, where was the reason for the sneer of the right hon. Gentleman? But if clever *Nisi Prius* consisted in evading the point at issue, turning the laugh against one's antagonist with extreme adroitness, so as to keep a delighted audience borne along by a limpid current of eloquence, made up of brilliant epigrams and the fruits of a boundless imagination, then undoubtedly the Chancellor of the Exchequer was the greatest master of *Nisi Prius* in the House. But, apart from the jests and jokes of the right hon. Gentleman, which were always delightful save to the subject of them, what were his arguments? In the first place, he said there was no principle in numbers. Without discussing what was meant by principle, he (Mr. Coleridge) insisted that in this case numbers were the very essence of the question, because numbers were declared fit for the franchise, and numbers claimed to have it. The numbers so claiming created the importance of the question, and had given it proportions which it had never before assumed; and if a sufficient quantity of the numbers was not dealt with by a Reform Bill the question remained unsettled. The right hon. Gentleman had also said that variety of representation was an excellent good thing, and that barren uniformity in a Reform Bill was bad. He (Mr. Coleridge) was ready to admit that variety in a Reform Bill was itself a good, and ought not to be given up without a struggle. Possibly if it had come down from antiquity it would be a thing to be much contended for; but he did not believe that could be obtained by the direct enactments of a modern Act of Parliament providing a variety of franchises would be satisfactory, or would be even tolerated. Did any one believe that if there were a large number of persons in one borough admitted to the representation, and a large number of persons in another borough forty miles off excluded by the operation of checks, that those excluded could be pacified by the assurance that variety was a good thing, and that their exclusion insured variety. The House of Commons was not a School of Philosophers but a body of practical men; and, accordingly, he would not pursue so simple an argument as this further. They came to this, then, that the Amendment of the right hon. Gentleman the Member for South Lancashire was a great improvement on the Bill; because, as his hon. Friend opposite had said, it proposed to give the franchise freely and confidingly, without irritating checks, and without a suggestion that those to whom it gave were unworthy. He hoped, then, most earnestly that the Committee would pass the Amendment of the right hon. Gentleman, and that the Government would accept it. Some, indeed, had said that the Government would not accept it; but he (Mr. Coleridge) hoped they were in error in that respect; and his hopes increased when he remembered the course the Government had pursued hitherto. Considering what had occurred from the beginning of the Session, till now, he trusted that the right hon. Gentleman the Chancellor of the Exchequer would, if gently pressed—having accepted so many suggestions—deal with this suggestion also, and accept the Amendment. As for this point being regarded as a substantive feature of the Bill, he could scarcely credit it after seeing the dual vote cast off. The dual vote, one would have thought, was the very essence of the measure. It held a prominent place in the Resolutions now lost in the mists of February. When the Bill was first under discussion the Solicitor General and the President of the Poor Law Board made much of the dual vote, though it was doubtful whether either of them was the stray philosopher. The lodger franchise, too —when that was made a point of, the right hon. Gentleman said he was the father of it and would take any proposition for it into his best consideration. Altogether the course the Government had taken showed that if the Amendment now before the House were pressed respectfully, though firmly, the Government would accept it, and amend the Bill accordingly. Acknowledging the dauntless courage of the Chancellor of the Exchequer, he insisted that in attempting to pass the Bill as it stood the right hon. Gentleman was attempting an impossibility. The Chancellor of the Exchequer was endeavouring to persuade both sides of the House that the Bill was equally acceptable to each, not only upon points on which both sides agreed, but upon points on which the greatest difference of opinion existed. The right hon. Gentleman insisted that the Bill could not be pronounced at once Tory and democratic—that it gave too much and withheld too much. Yet that was precisely what he (Mr. Coleridge) said; the Bill was Tory in this place and democratic in that; it raised unfounded expectations in one class and did not satisfy reasonable expectations in another; and on both grounds he objected to it. He quite admitted that if a Bill were to pass it could not be one that would satisfy extreme desires at either side of the House. He agreed with hon. Gentlemen on the opposite side, that it must partake of the character of a compromise —both sides must give and take. But to be a settlement satisfactory and honourable to the two great parties, and one which it was equally for their interest to agree upon, the principles which it embodied must be reasonable in themselves and capable of universal application. The measure must be at once Liberal and democratic in its character, it must preserve the just relations of the governors and governed, it must uphold the aristocracy and satisfy the people.

MR. HENLEY: The hon. and learned Gentleman the Member for Exeter asks the right hon. Gentleman the Chancellor of the Exchequer to accept this Amendment, and by way of inducing him to do so has adopted the somewhat curious course of using against him and those who sit beside him, as taunts, all those points on which he seems willing to yield to the wishes of the House. The hon. and learned Gentleman may consider that a ready way to coax people; but I doubt whether he will find it successful in this House. He said, in the early part of his speech, that now we have a clear issue—that the Amendment of the right hon. Member for South Lancashire is a clear and definite issue. But if ever there was an Amendment that was less definite, or less capable of being so treated, it is this very proposition. And why do I say that? Because the Amendment is supported, on grounds exactly opposed to each other, by my hon. Friend the Member for the University of Oxford (Sir William Heathcote), and the hon. and learned Gentleman the Member for Exeter. The hon. Member for Oxford says he will take this Amendment, because there is something else to follow it—a hard and fast limit of the franchise. But if we are to look at this Amendment by itself, with reference to the Bill in our hands, the hon. and learned Member for Exeter says I want an extension of the franchise, and I want a lowering of the franchise; and as this Bill will not give me that I will support this Amendment, because without it the Bill will not be sufficiently extensive, and will not sufficiently lower the franchise. Both, therefore, support the Amendment on grounds exactly opposite. And yet we are told that this Amendment raises a most clear and definite issue. I complained in the early part of the evening that I thought we ought to have the whole Instruction before us. A plain and definite issue as whether the franchise is to be limited by a hard and fast line, or whether it is to be open to all who choose to qualify themselves and comply with certain conditions would thereby have been raised. But that issue is not raised by this Amendment, although it has been argued as if it were so raised. We therefore are placed in this difficulty—the Amendment would be of no consequence one way or the other if a hard and fast limit be imposed:—it will be fatal to the Bill if the measure is to stand as proposed by the Government. Therefore, after the manner in which it has been debated this evening we are placed in a position which justifies anyone in saying that the Amendment has been framed evidently with the view of catching votes. All those who want to fix the limit will vote for it, and all those who want to see household suffrage pure and simple without paying rates will vote for it. Therefore, it is calculated to catch votes on both sides. We have been told some rather curious things by the hon. and learned Member for Exeter in the course of his speech. In speaking of this Bill, he says, "What is the result? Here are persons compounding, and it is a question whether they will go on to pay their rates." Now mind that is a Liberal opinion. The hon. and learned Gentleman in his own mind is in favour of household suffrage pure and simple. And what is his opinion of the persons whom he wants to enfranchise? He says, "These parties will not seek the franchise for themselves," and yet we are told everybody wants the franchise. He next says, "If they are seeking it, who will have to pay for it—the landlords or the candidates?" That is his opinion of the people of this country—a Liberal opinion be it observed. The Liberal opinion is that the people care so little for the franchise that if they seek it they will ask other people to pay for it. These opinions have been stated on the other side of the House, and I was quite astounded to hear them. I cannot understand persons saying with one side of the mouth that the people are anxious to be enfranchised, and ought to be enfranchised, and with the other saying that they will not avail themselves of it unless it is paid for. The hon. and learned Gentleman has said a good deal about rating. He says that the payment of rates has never been practised in this country. I do not believe that the scot and lot voting depended upon Acts of Parliament; I do not exactly know how it came to pass that scot and lot voters were rated, but certainly scot and lot voters were rated and paid the rates. The hon. and learned Member says, also, that it was a common law principle that people should be rated. That I believe to be true. Well, then, a class of gentlemen called Reformers made an Act of Parliament in 1832. And what did they do? They not only confirmed the principle of rating, but, to make the matter plain and simple—for it was useless for a man to be rated unless he paid the rate—they said he should pay. Everybody has accepted that principle. There have been one or two attempts, as the hon. and learned Gentleman has said, to alter that system, but they did not succeed, and it has gone on uninterruptedly until the right hon. Member for South Lancashire omitted the rating in his Bill of last year. So far with respect to the question of rating. A great deal has been said about evasion. The hon. and learned Gentleman says that the Chancellor of the Exchequer and the Gentlemen on the front Bench have evaded the questions that were put to them. But is the course taken this evening altogether free from evasion? It would have been better if we had had this definite issue—whether the franchise is to be fixed on a hard and fast line, or whether it is to be an open franchise obtainable on certain conditions. That would have been a question to be argued fairly and with advantage, and when we had decided it we should have been in a definite position. But, instead of that, we have heard a great deal about compound-householders and the inconveniences to which they are subjected. Sometimes it is said they can and will vote; at other times that they cannot and will not. We have had a formidable array of figures from the right hon. Gentleman the Member for South Lancashire, showing how many men will be on the rate in certain boroughs and how many will not be on the rate; but he did not condescend to go into the question how many might get on—and that is the real point. Talk of evasion! He evaded that altogether. I do not know whether the right hon. Gentleman is of the same way of thinking as the hon. and learned Member for Exeter as to the wish of the people to get on the lists. He did not touch that question, and left us wholly at sea respecting it. He says, here are a certain number of people who are on the rate and others who are not on the rate; but he did not give any estimate as to the number capable of being placed on the rate. I will not presume to say that it is not an arguable question, whether it is better to fix a definite line or have an open one, like that fixed by the Government. And when you talk of a fixed line what is it? The only figure that has been named is £5. The Small Tenements Act only touches houses at £6. Between the £10 and the £6 all the tenements are rated. So that in comparing the numbers of which so much has been made, account can only be taken of those floating between £5 and £6 — for if you fix the hard limit of £5, you entirely shut out all below that amount. And these are the parties—and I hope the Liberal Gentlemen will attend to this—who swell these great numbers to which the right hon. Member for South Lancashire referred. The position of my hon. Friend the Member for Oxford University is quite intelligible, and I can understand his arguing as he does, because he does not want an extension of the franchise; but I cannot understand how these Liberal Gentlemen are agreeing together, and how all these numbers are thrown like pieces of dirt into the water to muddle it so that we cannot see anything clearly. All that is plain is that the plan of the right hon. Gentleman the Leader of the Opposition will absolutely disfranchise all those who are rated below £5, and the numbers between £6 and £5 who may come in, but who do not choose to come in, are what the hon. Member for Birmingham may call the "residuum"—and coming from him I suppose that expression may be used. I therefore do not think that the figures of the right hon. Gentleman are as conclusive as he seemed to think, and as he tried to make the House think. Then, again, a great deal has been said about the so-called unfairness of this House not settling absolutely the matter of the franchise, but leaving it, in some degree, in the hands of the local authorities. But I should like to ask whether a hard £5 limit will not confer as much—yes, and more—power in this respect upon the local authorities? The Small Tenements Act has been described by the right hon. Gentleman opposite as one of the greatest social and economical improvements of the age. But what is the Act? I say that it is a device of Old Nick to oppress the poor. Before that Act the poorest and most helpless portion of the people virtually paid no rates at all—they were not asked to pay them — they were struck off the list. A great many Gentlemen, here or elsewhere, have talked very much of the importance of building suitable houses for the poor; but I maintain that there cannot be a greater hindrance to this than the making the landlord pay the rates for them, instead of leaving them to pay them themselves, if they are able; and if they are not able they ought to be excused. This Small Tenements Act altogether destroys that wise and humane distinction. It makes every one pay rates, however poor he may be; even though he is in receipt of outdoor relief he has to pay all the same—and in proportion as he is poor, and his payment uncertain, in the same proportion does the landlord screw more out of him, to make up for the chance of his not getting paid at all. I wish the Act were swept away altogether, for it oppresses the poor; though I admit that in some cases the personal payment of rates might give rise to some slight personal inconvenience. Well, the hon. and learned Gentleman opposite has expressed his apprehensions that pranks will be played in arranging the rating under the Bill, for the purpose of disfranchising some people and enfranchising others. The hon. and learned Gentleman has had a larger experience in these matters than I have had: but I am quite sure of this—that pranks of this description can be played with a great deal more ease and success against a line of £5 than in the case of isolated persons scattered here and there under the suffrage proposed in this Bill. In the other case there would be a line to go against, and a good stroke of business might be done. You might put a whole lot below the £5 line by skilful arrangement. The operation would assuredly be easier than it will be under the proposition of the Government Bill. The right hon. Gentleman the Member for South Lancashire has taunted the Chancellor of the Exchequer by asking what became of the principle of personal rating in the case of the lodger franchise? Well, the right hon. Gentleman assumed that this franchise would be introduced, and ought to be introduced, in order that he might argue upon it. That is a very convenient mode of dealing with the question; but, in point of fact, there is an enormous difference between the two cases. The right hon. Gentleman himself, if I remember rightly, in his Bill of last year, while he would have let in the householders at £7, proposed that the lodgers should come in at £10. This was a grand distinction—no less a difference between the figures that were to enfranchise the two classes than one of 50 per cent; and I think, therefore, that it was rather out of place for the right hon. Gentleman to taunt the Chancellor of the Exchequer on the ground that because in the present Bill there was the principle of personal rating for householders. The Chancellor of the Exchequer could not with consistency attach to his scheme a lodger franchise. It could be said with as much truth that the savings bank franchise was inconsistent with that principle; but every one knows that the two things are essentially different. The question of the lodger franchise is a large and open one. I have never expressed an opinion upon it one way or the other; if the right hon. Gentleman really wishes for a lodger franchise is he adopting the most likely means of procuring it when he argues that it is fatal to the principle of the Bill? I have touched upon most of the points on which I was anxious to speak; but I cannot sit down without making an observation or two on what has fallen from the hon. Member for Tralee (The O'Donoghue). Sir, the hon. Member for Tralee has used strong language on this question; but I think the only answer it is necessary for me to give to him is that which the right hon. Gentleman opposite (Mr. Gladstone) made last year, when he said that on this question of Reform neither side of the House could say much to the other. I cannot help remembering that till 1866 a Liberal Government sat on the Treasury Bench, with a powerful majority at their back; but the hon. Member for Tralee sat quiet, as far as I know, and never raised his voice or took any course to influence the leaders of his party in respect to Reform. Well, but hon. Members on that side of the House are professed Reformers; they were all Reformers at the hustings; but that is not the case on this side of the House. I have always been in favour of an enlargement of the franchise, and I supported the Bill of 1859, and I am still of the same way of thinking. But I could not support the Bill of last year, for I thought it a bad Bill, and I am in favour of no attempt to settle this question upon the principle of a fixed, arbitrary line. I have asked, here and elsewhere, on what argument it can be proper to give to a man whose rent is £7 the vote which you refuse to him who pays £6 10*s*.? I have asked this publicly and privately, but I have never succeeded in getting an answer—and I do not believe that I ever shall. Nor why a man who pays £5 shall have the franchise while it is refused to the man who only pays £4. There is no resting-place in such a plan. You must descend from one figure to another; you will not be able to stop till everybody—even all that has been called "the residuum" of the population — comes in without any qualification whatever. The right hon. Gentleman the Member for South Lancashire told us last year that his Bill would admit, I think, about 200,000 of the unenfranchised, and (said the right hon. Gentleman) "they will not hurt you." Well, I thought that rather a curious way of putting the case. I would say if they are good let them all in; if they are not good, —none; and I believe that a fair test of fitness or unfitness is the bearing his share of the burdens of the State. I know of no test so honest, no test so fair. If a man desires to exercise the privileges of citizenship let him bear the burdens of citizenship. If there are particular clauses in the Bill which in consequence of anomalous laws interfere with men who are anxious to obtain the franchise on that condition, let the House amend those clauses so as to give every man the privileges of citizenship who is prepared to bear its burdens. The hon. Member for the University of Oxford says, "Do not profess to give and at the same time not give." There is no profession at all in the matter. The Bill opens the doors to every man willing to avail himself of the offer made to him. How, then, can any one say—what right has any one to say—that the Government are tendering a thing with one hand and taking it back with the other? I believe that the people themselves will understand it. There may be a greater wish among men in some places to avail themselves of the rights of citizenship than there are among persons in other places; but that is not the fault of the Bill. The right hon. Gentleman the Member for South Lancashire insists very strongly on the migratory character of the people inhabiting the smaller class of houses, and objects to the term of residence fixed by the Bill. It may be argued that any term of residence is necessarily a difficulty and a hardship. No doubt, in some large places there may be that difficulty; but in this country regard has always been paid to local feelings, and a certain term of residence must be required. Whether the term fixed by this Bill is a fair one is a point for discussion; but I cannot think that condition ought to be altogether abrogated, for 10,000 men who may be employed here to-day and there to-morrow ought not to come in and swamp the actual residents in a borough. Local feelings and associations are the very cradle of our institutions, and I should be sorry to see any step taken which would impair them.

Viscount CRANBOURNE: I think my right hon. Friend who has just spoken (Mr. Henley) was very appropriately selected to support the Bill of the Government, for there are few Members of the Conservative party who can defend household suffrage without prefacing it with an apology. Eight years ago my right hon. Friend announced in this House that he was prepared to go as far as household suffrage. [Mr. Henley: No!] I am sorry if I misrepresent my right hon. Friend; but, at all events, we were informed at that time that such was his view;

and I think we are bound in our present condition to recognise the foresight with which he took up so advanced a position, foreseeing, as no doubt he did, the probability that when next his party came into office they would have to come up to that point. The foresight of the right hon. Gentleman, in taking a very advanced position, at all events, on this question eight years ago must have exposed him to some doubts in his own mind, and his patience in waiting for his party to come up to him must have exposed him to severe trial. He must have felt some despair when he heard us last year urged to resist a Bill which was comparatively mild, on the ground that we were Americanizing our institutions. But his foresight was justified, and it is of no use now to discuss these matters. I sometimes hear the Bill of last year mentioned with a feeling of regret, and, perhaps, of something like penitence; for I feel that if we had accepted that offer, though perhaps I might not have been standing on this side of the House, yet that the prospects of the British Constitution would have been a great deal brighter than they are now. I have no doubt, however, that those who then urged us to resist that Bill had calculated in their own minds the course they intended to adopt. I have no doubt that a Bill such as that which has now been brought before the House was in the minds of the heads of the Conservative party. Owing, however, to what no doubt was our misapprehension we have been bitterly disappointed, and the result is that we now find ourselves committed to a Bill which is in every sense more democratic than that which was introduced last year by the right hon. Gentleman opposite. I am not going to dwell on this subject of democracy; but I rather demur to the line taken by my right hon. Friend in twitting the hon. Baronet the Member for Oxford University, and the hon. and learned Member for Exeter, because they advanced to an attack on this Bill from different quarters. He seemed to think that because one had been educated in a school opposed to Reform, while the other was a strong Reformer, it was impossible that both could with any fairness oppose the same Bill. Now, I protest against the doctrine that in dealing with Reform we have only the question of what is called democracy to consider. Last year I contended earnestly against allowing such an increase of the franchise as would, I thought, disturb the balance of classes. I have not altered my opinion as to the dangers to be apprehended from such a disturbance; but I will not go over that ground again, for it behoves us to be practical men, dealing with practical questions, and it is useless to argue on behalf of a position which both sides of the House have agreed to abandon. But there are other dangers, and dangers which seem to me equally formidable, in the measure which the Government have proposed, and with those I think my right hon. Friend has not attempted to deal. It has, for instance, been repeatedly stated tonight that the measure gives no promise of permanence. Now, my right hon. Friend says, "Do not fix a hard and fast line, because there will be an ugly rush at that; but have a line that represents some principle. Open the door to every one who is fit to enter." Well, holding that opinion, what does he propose to vote for? Why, for a measure that admits people, not according to any moral qualities which they may display, but according to the fact whether they live on one side or another of a street in Bristol—according to the fact whether a vestry has or has not resolved to apply a certain Act of Parliament. Now, the only excuse—I was going to say the only reason—for passing a Reform Bill is that it should stay agitation. But what are you going to do with this Bill? You are going to make the Small Tenements Act a disfranchising Act, and you are going to make it the interest of all who are for enlarging the suffrage to agitate in every parish vestry in order to rescind the Act wherever it is now in operation. It now operates entirely in fifty-eight boroughs, and it has been adopted in some parishes in ninety-eight boroughs out of the remainder, so that it is in operation in three-fourths of the boroughs of England. If this Bill is passed that Act will have an enormous disfranchising operation, and you will transfer the Reform agitation from this floor, where it has troubled you so much, hindered you so much, and produced so much heartburning, to three-fourths of the parishes in the boroughs of this country. Can you say that a measure which has this for its result is one likely to produce peace and quietness in the country? Then look at the effect which the principle of this Bill will have—if you can call it a principle. It will build a great wall of exclusion, shutting out the great majority of those who would be included in a household suffrage. But in this wall there are two doors. The first door is the power of the vestries with respect to the Small Tenements Act. Just see the effect which that will have on the seats of Members of this House. I see in his place the hon. Member for Leeds (Mr. Baines). Now, the Bill will about double his constituency to start with; but when it has done that, it will leave more than twice the existing constituency in the condition of compound-householders. Thus the hon. Member will never know from Parliament to Parliament what his constituency is to be. He starts with a present constituency, say of 10,000 electors; but he will never know whether any agitation, or the efforts of any registration association, or any electioneering agent, may not double his constituency and entirely alter its character. I cannot imagine anything more trying to the repose of Members of this House than the knowledge that their constituencies are constantly liable to vary in this manner. It will be like living in a country where earthquakes are frequent, and where it is said the courage of the strongest man is unnerved. The hon. Member for Brighton (Mr. White) will be another victim. He will have only fourteen additional constituents at the first operation of the Bill; but he will be liable at any moment, by the action of any external cause of the kind to which I have referred, to have a large mass of voters thrust into his constituency. Now, surely, the object of a Reform Bill is repose. What you desire is to get rid of agitating and irritating questions which set class against class; but, instead of doing that, this measure, in almost every constituency where it operates at all, will operate to the increase of agitation and unsettlement. But that is not the only point which I have a right to ask my right hon. Friend to consider. In the adjustment of a Reform Bill there is something to be said for the quality of the constituencies. This residuum of which we have heard is not in itself the most valuable part of the community; and whatever we may think of it we must be aware that in education and independence it is considerably behindhand. But what are you going to do with it? The second door is the power of every man to rate himself if he pays a certain sum and takes a certain amount of trouble. Now, you know perfectly well that the mass of the working men of this country will not pay a sum of money regularly to get on the register. Therefore, with regard to this door, for any working man to move of his own impulse, you will not have that which I presume Reformers most desire—the independent, uninfluenced opinion of the working man. The door will be closed as to him; but it will yield easily enough to an association agitating some public question, or else the rich man will for his own purposes force it. There you have the two elements of corruption and passion. If the rich man thinks it worth his while to put all these men on the register, you have given him a cover for corruption. You know very well that when money begins to be paid by the rich man, even if only for the rates, the end of it is corruption. But I do not think that the worst part of it. I fear the other action of the Bill much more. What is it that we dread in democracy? What is it that we on this side of the House have been resisting for years? It is not that we dread in ordinary times to take our countrymen into our councils, or to see their feelings and wishes represented in this House. On one-half or three-fourths of the questions that come before us, we know it is as desirable that their opinions should be represented as those of any class in the community. We do not fear the opinions of the lower classes upon the ordinary questions of policy. What we have to fear is that on particular subjects upon which classes are pitted against each other the balance of classes should be disturbed by the overwhelming power of the lower portion of the community, and that then you would have legislation of a kind which no wise man would approve. Well, then, what are you going to do? In ordinary times, when there is no agitation in the country there will be no working men on the register; but let some great question be agitated in which they take a deep interest—say the Maine Liquor Law—the change of indirect for direct taxation, or any great social question that will set class against class—and then you will see leagues formed, a vast machinery of agitation organized, money collected; then you will see these compound-householders put in large numbers on the register, and they will carry all before them. Well, you look to political education as the means of averting the dangers which may result. You say that though these men may be occasionally influenced by passion, if they are trusted sufficiently long with the suffrage they will learn by a sense of its responsibility the dangers they have to avoid, and in that way power may safely be placed in their hands. If you gave it to them freely and fully that might be the case—I do not say that I advocate such a course; my opinions are well known—but you might have that recompense; by the constant exercise of the vote they might at last learn in some degree how to use it, and thus to avoid the temptations by which it is surrounded. But practically by this Bill you decide that they shall only exercise the franchise in troublous and not in quiet times. You say, "No, they shall possess a vote only when it is worth some agitator's while to put them on the register." When they are calm and uncorrupted you refuse to give them facilities for getting on it; but as soon as they are tempted by bribery, or swayed by passion, then you put political power into their hands. I cannot conceive any course more calculated to bring on us the dangers of democracy—a result which Gentlemen on both sides of the House are equally anxious to avoid. It is for these reasons that it appears to me that I am bound to prefer the course recommended by the right hon. Gentleman the Member for South Lancashire to that of Her Majesty's Government. I do not say the proposals of the right hon. Gentleman are such as, if made last year, I should have liked—I do not say that they are proposals which in all respects I approve; but it is because they are pitted against others which seem to me to involve all the evils of democratic measures with none of their advantages, which seem pregnant with future irritation, and to give a cover for corruption—it is on that account, and without concealing my regret that we have arrived at such a stage, that I am compelled to make that choice — that I feel bound to vote for the Amendments, for I take them as a whole, which the right hon. Gentleman has placed in your hands.

Mr. ROEBUCK moved the adjournment of the debate.

Mr. AYRTON asked, when the right hon. Gentleman the Chancellor of the Exchequer proposed to resume the Committee? Was he prepared to do so the first thing to-morrow, if Members were agreed to waive their rights?

The CHANCELLOR of the EXCHEQUER: To-morrow is not under my influence; I have reason to believe that Gentlemen who have Motions on the paper for to-morrow will not be indisposed to give way; but I cannot presume to press them.

Mr. HORSMAN: The right hon. Gentleman has given Notice that to-morrow, at half past four, he will move that the House, at its rising, do adjourn for the Easter holydays. I presume he will not make that Motion until late in the evening, when the debate is finished.

The CHANCELLOR of the EXCHEQUER: I see no reason for deviating from the usual course.

Mr. EARLE said, that this question had now for five hours been under discussion upon its merits; but there were some who were anxious that it should not be decided upon its merits. A few days ago everything was concession, conciliation, and candid co-operation. They had now come upon a period of threats, of defiance, and of daily ultimatums. It was true that early in the evening the wind seemed to be veering round to the old quarter; but last Monday, at any rate, they had more than their share of menace, and even the Secretary of State for India, under circumstances somewhat disconcerting, found courage to send them an ultimatum of his own. There had been deputations. The working man had been to Downing Street to see the working man's friends. He doubted, however, whether the argument as to fitness would be strengthened by the interview; because the working man came away deeply impressed with the broad distinction between popular privileges and democratic rights. A dissolution of Parliament had been threatened. He wished to know to whom Her Majesty's Government intended to appeal. If they addressed themselves to the Conservative party in the country, were they to say with the Chancellor of the Exchequer that popular privileges were not democratic rights, or with the Secretary for India that household suffrage was a fancy franchise? If a constituency were found to listen to such things, they would schedule it by acclamation. It was said, however, that an appeal was to be made to the Liberal party, and that Gentlemen on the other side were to be outbid by the Government. He, for one, did not believe that such tactics would succeed, or that the Liberal constituencies would desert their old friends. Let them therefore, without any fear of a dissolution, decide the great question before them, which was, whether, be the measure of enfranchisement large, as the Opposition desired, or moderate, as they (the Conservatives) would prefer it—whether its extent should be determined in the old constitutional way by Queen, Lords, and Commons in Parliament assembled; or whether they should leave it to fluctuate according to the caprice of municipal cabals, by adding to the normal constituency a sort of constituency of reserve, which at any moment might be called under arms by the competition of opulent candidates, the violence of political passions, or the corrupt manœuvres of organized agitation.

Mr. BAILLIE COCHRANE said, that in deference to the wish of the House, he would postpone the Motion which stood in his name (on our relations with Spain) for to-morrow evening until Friday, the 1st of May.

Lord STANLEY: The hon. Member for Chatham (Mr. Otway) has given notice of a Motion with reference to the claims arising out of the American civil war. I intended to-morrow to have made to him an appeal, to which, from what I have heard to-day, I believe he would listen favourably, to postpone the Motion for the present, on the ground that negotiations are still going on. We are anxious, I believe, on all sides that these negotiations should be brought to a favourable conclusion, and I believe that a discussion at the present time would not tend to promote it. If the hon. Member be in the House, I would address my appeal to him now; if not, I must repeat it to-morrow afternoon.

Mr. OTWAY said, he had no hesitation in responding to the appeal, and postponing his Motion; which, however, he should feel bound to propose after the Easter recess, if no other Member took up the subject.

Mr. AYRTON hoped the Chancellor of the Exchequer would re-consider the answer he had given, and not proceed with the Motion for Adjournment for the holydays until this discussion was concluded. If the right hon. Gentleman could not take a course so obviously convenient, he hoped the sense of the House would be taken on the matter. It was quite impossible that the House should adjourn before the Motion before the House was brought to a conclusion.

Mr. BAILLIE COCHRANE said, he had consented to postpone his Motion only on the understanding that it was the wish of the House to adjourn as usual for the Easter recess.

Sir LAWRENCE PALK said, that as the hon. Member had given way under the apprehension that there was to be no further alteration, if any were made, they were bound to put him in the position he had yielded.

Mr. GLADSTONE: The right hon. Gentleman the Chancellor of the Exchequer is justified in saying that the ordinary practice has been to move the Adjournment for the Easter recess at half past four o'clock; but, at the same time, the present circumstances are somewhat peculiar. I apprehend we all feel much indebted to my hon. Friend the Member for Honiton (Mr. Baillie Cochrane) for having cleared the ground for the continuance of the discussion on the Bill of the Government. There is a great desire, I believe, in the House that it should be prosecuted to its conclusion. Therefore, it appears to me we are reduced to one of two things—either the Motion for Adjournment should not be taken until later in the evening, or else, if it is taken early, it should be with the understanding on the part of the House that the discussion will be prosecuted to its conclusion. If there is not such an understanding, difficulty will be raised on the Motion for Adjournment.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

METROPOLIS GAS BILL—[Bill 45.]

(*Sir Stafford Northcote, Mr. Secretary Walpole, Lord John Manners.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be read a second time. upon Monday 29th April."—(*Sir Stafford Northcote.*)

Mr. CRAUFURD said, he desired some explanation with regard to this Bill, which he believed would be unanimously opposed. He had understood the right hon. Gentleman the Home Secretary to say, when asked whether he would proceed with the Bill before the recess, that he had made certain proposals to the Gas Companies, and that he proposed to withdraw this Bill and bring in another, differing only from the other in the extraordinary particular that the price and dividend should be left in blank. The question involved in the Bill had been treated as though it were merely one between the thirteen Gas Companies of the metropolis and the Board of Trade. But there was far more than this in the Bill, the principle of which was the principle of confiscation. It was a piece of legislation unprecedented in the history of Parliament, and ought never to have been introduced by any Government. The right hon. Gentleman might just as well come down to the House and propose to reduce the Three per Cents. The petitions which had loaded the table of the House for the last few nights showed how the measure was regarded out of doors. Such legislation was really monstrous. It had depreciated the value of gas property throughout the kingdom by £2,000,000; gas companies were in some cases unable to raise fresh capital, and shareholders could not realize their property. He was not satisfied with the proposal of the right hon. Gentleman to postpone the Bill for three weeks, and should move its postponement till that day six months.

MR. WYLD seconded the Amendment, and said the Secretary of the Board of Trade, whose discrimination and sense of justice in public matters were well known, could not have read this Bill, which was a disgrace to the Department.

Amendment proposed, to leave out the words "Monday 29th April," in order to add the words "this day six months."—(*Mr. Edward Craufurd.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR STAFFORD NORTHCOTE said, the course which had been taken was peculiar, but he was quite ready to answer the speech of the hon. Member (Mr. Craufurd). When the Bill was brought in considerable opposition was offered to it, and a deputation from the London Gas Companies, and from water and railway Companies, waited upon his noble Friend (the Duke of Richmond) and stated their objections. He proposed to withdraw the Bill, and introduce another which should be similar but with the figures entirely left out. To this proposal the Companies would not agree, suggesting the withdrawal of the Bill and the introduction of another with certain alterations. One of these was the omission of the clause giving to the Metropolitan Board of Works and the City of London an optional power to purchase the gas works, and of the clause which was described as limiting the profits of the Companies to 7 per cent; while there was to be a clause allowing an increase in the charge for gas if the price of labour or coal were to rise. The Government promised to consider these points, and state, after Easter, what they would do in the matter. He could not now state the counter proposals of the Government; but it was probable they would propose an arrangement which the Gas Companies would be willing to accept, and which would form the foundation of a Bill. In his opinion, it would be very much for the advantage of the Gas Companies themselves that the matter should be dealt with during the present Session in the impartial spirit in which it had been taken up by the Government. But as the question had been raised to-night, he was obliged to remind the House of what had occurred. In 1860 an Act was passed giving to the metropolitan Gas Companies certain privileges in the nature of a monopoly, but subjecting them to certain restrictions intended for the public protection. Three or four years after that Act was passed, the gas consumers complained that though the Companies had received the full benefit of the Act, the public had not derived from it the protection which was intended. Last year, therefore, the City of London promoted a Bill enabling them to make gas for themselves. The Bill was referred to a Select Committee, who were also empowered to consider the effect of the Gas Act of 1860. The Committee took a certain amount of evidence and presented a Report, which stated that the conditions of the Act of 1860 had not been fulfilled, that the price of gas ought to be reduced, the quality improved, and better security provided that the public should be properly served. When the present Government came into office, the Report of this Committee was laid upon the table, and various deputations waited upon the Government from the Metropolitan Board of Works, vestries, and gentlemen representing consumers. The Government had no interest in the matter; but, feeling that the question was in an unsatisfactory state, they volunteered to bring in a Bill. On the other hand, the Gas Companies came to the Government and said, "We were not fully heard before the Committee. We had reason to suppose that the Committee were going to decide in our favour, so that we did not offer the evidence which we might have offered, and our case was not complete." The Government were anxious that the parties should come to a friendly arrangement and endeavoured to bring about a compromise, but were not successful. They therefore introduced a Bill based upon the Report of the Committee, intending that after the second reading it should be referred to a Select Committee. They thought that if the case of Gas Companies had not been fully heard before, those Companies would be delighted to go before a Committee, in order that it might be heard. But as soon as the Bill was introduced, objections of a most extraordinary nature were taken to it. Instead of courting inquiry, the Gas Companies challenged the Bill on the second reading, and petitions were presented containing the most unfounded allegations. Nothing, for instance, was more untrue than that the Bill was drawn with the object of reducing a guaranteed dividend of 10 per cent to one of 7 per cent. The Act of 1860 limited the profits of the Gas Companies to 10 per cent; but it had been suggested to the Government that an alteration should be made in this respect. The suggestion, he might remark, was first made to the Government by a Member of a Gas Company, who thought there ought to be a sliding scale. The Bill, accordingly, allowed the Gas Companies to carry their dividends up to any amount they could make, taking away the limit of 10 per cent, provided that after a certain amount was reached there should be a reduction in price at the same time that there was an increase of dividend, so that both the Companies and the public should be the gainers. He had been obliged to state what was the position of the Bill, on account of the objection which had been raised to the proposal for the adjournment of the second reading till after the holydays. The Gas Companies had made certain proposals to the Government, and the Government hoped to come to terms with them before the end of the Easter recess, and he therefore now proposed that the Bill should be adjourned over the holydays.

Mr. ADAIR said, that the Companies did not object to the question at issue being decided by some competent authority; but they did object to the Parliamentary guarantee being destroyed, and this principle of confiscation introduced. There was, however, an arrangement between the Companies and the Government that the matter should stand over until after Easter, and therefore he could not vote for the Amendment.

Mr. POWELL thought the Bill ought not to be set down for the first day after the recess, but that more time should be given for hon. Members to consider its provisions.

Mr. AYRTON moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned."

The House *divided*:—Ayes 85; Noes 48: Majority 37.

Debate *adjourned* till *Monday* 29th April.

OFFICES AND OATHS BILL—[Bill 7.]

(*Sir Colman O'Loghlen, Mr. Cogan, Sir John Gray.*)

CONSIDERATION.

Order for Consideration, as amended, read.

Mr. NEWDEGATE said, he should not oppose the consideration of the Amendments on that occasion; but he hoped that the hon. Baronet who had charge of the measure (Sir Colman O'Loghlen) would postpone its further progress until after Easter.

Bill, as amended, *considered.*

Amendments made; Bill to be read the third time *To-morrow.*

RAILWAYS.

Select Committee *appointed,* "to inquire into the provisions made by Parliament for securing the completion of Railways within a prescribed time, and to report whether any and what alterations should be made in the Standing Orders of this House requiring such provisions, or the Act 9 Vic. c. 20."—(*Mr. Dodson.*)

And, on April 29, Select Committee *nominated* as follows:—Colonel Wilson Patten, Mr. Cave, Mr. Goschen, Mr. Bonham-Carter, Mr. Dodson, Mr. Woodd, Mr. Whitbread, Sir Colman O'Loghlen, Colonel Packe, Mr. Scholefield, and Sir Edward Colebrooke:—Power to send for persons, papers, and records; Five to be the quorum.

LOCAL GOVERNMENT SUPPLEMENTAL BILL.

On Motion of Mr. Secretary Walpole, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Gainsborough, Farsley, Bideford, Canterbury, Chipping Wycombe, Worthing, and Wednesfield, and for other purposes relative to certain districts under that Act, *ordered* to be brought in by Mr. Secretary Walpole and Mr. Hunt.

Bill *presented,* and read the first time. [Bill 121.]

RAILWAYS (SCOTLAND) BILL.

On Motion of Sir Graham Montgomery, Bill to define the duties of the Assessor of Railways in Scotland in making up the Valuation Roll of Railways, and to amend in certain respects the Valuation of Lands (Scotland) Acts, *ordered* to be brought in by Sir Graham Montgomery and Mr. Hunt.

Bill *presented,* and read the first time. [Bill 122.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, April 12, 1867.

MINUTES.]—Public Bills—*Third Reading*—Judges' Chambers (Despatch of Business)* (58); Vice Admiralty Courts Act Amendment* (71), and *passed.*
Royal Assent—Canada Railway Loan [30 *Vict.* c. 16]; Alimony Arrears (Ireland) [30 *Vict.* c. 11]; Criminal Lunatics [30 *Vict.* c. 12]; Shipping Local Dues [30 *Vict.* c. 15]; Mutiny [30 *Vict.* c. 13]; Marine Mutiny [30 *Vict.* c. 14.]

Their Lordships met, and having gone through the business on the paper, without debate,

House adjourned at a quarter past Five o'clock, to Thursday the 2nd of May next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, April 12, 1867.

MINUTES.]—Select Committee—On Fire Protection, Mr. Tite and Mr. Laird *added.*
Public Bills—*Ordered*—Church Discipline Act Amendment.*
First Reading—Land Drainage Supplemental* [123]; Church Discipline Act Amendment* [124].
Committee—Representation of the People [79] [r.p.]

IRELAND—RIVER SHANNON.

QUESTION.

Mr. W. ORMSBY GORE said, he wished to ask the Secretary to the Treasury, When the Report of Mr. Lynam, Civil Engineer, on the state of the River Shannon may be expected to be laid upon the table of the House?

Mr. HUNT, in reply, said, that no Report had yet been received; but that when any information reached the Government it should be laid on the table.

INDIA—FAMINE IN ORISSA.

QUESTION.

Mr. SMOLLETT said, he would beg to ask the Secretary of State for India, Whether he is willing to put upon the table of the House all the Correspondence that has passed up to the present time with the several Governments in India relative to the Famine in Orissa, and to the alleged enormous loss of human life from starvation in that Province in the year 1866; a subject prominently noticed in Her Majesty's Speech to Parliament at its opening upon the 5th of February last, but upon which no official information whatever has been communicated by Government to the House of Commons?

Sir JAMES FERGUSSON said, in reply, that the late Secretary of State for India had appointed a Commission for inquiry into the subject, but they had not yet reported. The Report having been so long delayed, the Secretary of State had telegraphed to India to know when it might be expected. The correspondence, so far as it had gone, would be laid on the table immediately after Easter.

ARMY—THE WAR DEPARTMENT.

QUESTION.

General DUNNE said, he would beg to ask the Secretary of State for War, If it be true, as stated in the papers, that General Sir Henry Storks has been appointed head of a new department under the War Department, notice having been given in the House for a Committee on the re-organization of the latter?

Sir JOHN PAKINGTON said, he must beg to inform his hon. and gallant Friend that no part of the rumour in question was true. No new department at the War Office had been created, and no appointment of the kind made.

ARMY—REWARD TO MAJOR PALLISER.

QUESTION.

Major ANSON said, he would beg to ask the Secretary of State for War, What are the recommendations of the Ordnance Select Committee with regard to the reward to be given to Major Palliser; whether the Treasury has approved of those recommendations; and, whether the Secretary of State for War will lay upon the table of the House all Correspondence between the War Office and Major Palliser on the subject?

Sir JOHN PAKINGTON, in reply, said, the Secretary of State for War did not act under the advice of the Ordnance Select Committee. He had authorized a reward of £10,000 to be paid to Major Palliser; and a further reward of £5,000 would be charged on next year's Estimates. It was not usual to refer these questions to the War Office. He must decline to lay the correspondence on the table, it being of a confidential character.

IRELAND—ESCAPE OF JOHN KIRWAN.

QUESTION.

Mr. PEEL DAWSON said, he rose to ask the Chief Secretary for Ireland, Whether he can give to the House any additional information relative to the escape from the Meath Hospital in Dublin of John Kirwan, a reputed Head Centre of the Fenian organization, and whether any of the Police force who had the care of the prisoner are in custody under the charge of complicity in the escape?

Captain ARCHDALL said, he would also beg to ask the Chief Secretary for Ireland, If he has received a report of the escape from Meath Hospital, while under the charge of a police constable, of a man of the name of Kirwan, supposed to be a Fenian Head Centre, and if he is prepared to state the particulars of his escape; and if he is the same Kirwan who escaped from the police on two previous occasions?

Lord NAAS said, in reply, that the report which had appeared in the papers was substantially correct. The police constable who had charge of the prisoner had been committed upon a charge of being privy to the escape. There would be an inquiry into the whole transaction, and till that had taken place he could not state what had really occurred. He was not prepared to say whether Kirwan was the same person who had escaped on two previous occasions. The prisoner was in the charge of the Dublin Metropolitan Police.

MR. GRANT OF KETTLEBURGH—CHURCH RATES.—QUESTION.

Mr. THOMAS CAVE said, he would beg to ask the Secretary of State for the Home Department, If his attention has been called to the case of Mr. Grant of Kettleburgh (Suffolk), now in gaol for a disputed Church Rate, and the costs of contesting the same, which he is unable to pay on account of poverty; and whether he will be entitled to be released under any Insolvent Debtors Act now in force?

Mr. WALPOLE said, in reply, that no information had come to his department respecting this case.

NAVY—GREENWICH HOSPITAL.

QUESTION.

Mr. LIDDELL said, he would beg to ask the First Lord of the Admiralty, Whether his attention has been directed to a public letter on the subject of the assignment of a portion of Greenwich Hospital to the use of the "Seamen's Hospital;" and whether he has any objection to state the reasons which have induced the Admiralty to select a quarter described to be the most unsuitable, upon sanitary grounds and general convenience, for the accommodation of sick and infirm sailors?

Mr. CORRY said, he was very glad his hon. Friend had given him the opportunity of disabusing the public mind of the most unfounded impression which the letter to which he alluded was calculated to convey. The writer of the letter, adverting to an undertaking on the part of the Board before he (Mr. Corry) went to the Admiralty, said, "Since then there was a new Lord;" but he omitted to state that the new Lord of the Admiralty had been the first to urge on the late Government to assign a portion of Greenwich Hospital to the use of the Seamen's Hospital; therefore, it was not likely that he should be the person to throw any obstructions in the way. When he went to the Admiralty his right hon. Friend the present Secretary of State for War had, according to the usual course, called on the Medical Director General and the Admiralty Director of Works to report on the subject; and, as the matter had created some agitation, he might, perhaps, be allowed to read one or two extracts from their Reports. The letter to *The Times* stated—

> "The Admiralty have now the assurance to offer to the Seamen's Hospital Society a part of Queen Mary's quarter, which for the reasons I am about to describe is wholly unsuited as a hospital for the sick, and which the Admiralty know perfectly well cannot possibly be accepted by the society."

Now, he held in his hand the Report of the Medical Director General, one of the ablest and most experienced Medical Officers in Her Majesty's service. He said—

> "I previously visited the *Dreadnought* in order to ascertain the probable amount of accommodation that would be required. I next, accompanied by the Captain Superintendent and the Medical Inspector General, examined the entire range of buildings in Greenwich Hospital known as Queen Anne's, facing the east, and Queen Mary's, also facing the east and south. In the first-mentioned range of buildings the wards or floors are divided longitudinally by a massive wall, and again subdivided by wooden partitions into small cabins or compartments, each capable of containing two beds. These, though they may have been suitable for old men in good health, are by no means suited to the kind of patients admitted into the Seamen's Hospital, even if all the cabins and bulkheads were removed. Besides, in this quarter there is no kitchen or means of cooking for so many patients. On the opposite side of the public road which passes through the hospital is Queen Mary's quarter, forming an angle facing east and south. The ground-floor in the eastern portion contains an excellent kitchen, in good repair and fit for use, capable of cooking for 800 men, with a good scullery, laundry, and washhouse, ample cellerage, and store rooms. It also contains a large number of baths, besides foot-baths, with an abundant supply of hot and cold water. In the first, second, and third stories above the ground-floor, extending round to the centre of the portion facing the school-ground, there are nine large wards, capable of containing upwards of 300 patients. I would, therefore, for these reasons, beg to propose that the portion of the building called Queen Mary's quarter, with the exception of the western half of the south block, might be offered to the Committee of the Seamen's Hospital."

The Director of Works generally concurred in this Report. He might also state that the letter in *The Times* had been laid before the Board, and they decided to write to the Lord President of the Council and request him to permit Mr. Simon, the Medical Officer of the Privy Council, to visit Greenwich Hospital and give his advice on the subject. As soon as the Board receive his Report they will pronounce their decision, but that decision will not be at all influenced by the anonymous letter which appeared in *The Times*.

TENANTS IMPROVEMENTS (IRELAND) BILL.—QUESTION.

Sir FREDERICK HEYGATE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, considering the serious inconvenience to Irish Members of being present in the House on Monday the 29th instant, the first day after the recess, he will not consent to postpone the Tenants Improvements (Ireland) Bill to a more convenient day?

Mr. CHICHESTER FORTESCUE said, he would beg leave to interpose a question upon this subject. He wished to ask the right hon. Gentleman the Chancellor of the Exchequer, Whether it was not expressly agreed the other day that this Bill should be taken on Monday, the 29th instant, and whether the hon. Member for Galway (Mr. Gregory) had not expressed his readiness to be in his place on that day for the purpose of this Bill being proceeded with, and whether all the Irish Members had not concurred in the wish that this Bill should be taken on that day?

The CHANCELLOR of the EXCHEQUER: Sir, I am sorry to learn from the statement of the hon. Baronet, that the arrangement I made for taking this Bill on Monday, the 29th instant, will occasion serious inconvenience to the Irish Members. Her Majesty's Government had no personal interest in fixing that particular day for proceeding with this Bill. They consulted, as they supposed, the convenience of the Irish Members in doing so. Of course, if it should turn out that to proceed with the Bill on that day would be inconvenient to Irish Members generally, I should have no desire to enforce the arrangement. But unless there is a general expression of opinion upon the point, I cannot do otherwise than regard myself as bound by the arrangement I have made. I can only regret that the hon. Baronet did not at the time that arrangement was entered into express the objections his friends had to it. Under existing circumstances, I have no power to change the day for proceeding with the Bill without a general expression of consent to such a proposal by the Irish Members.

OUR RELATIONS WITH SPAIN.

QUESTION.

Colonel SYKES said, he would beg to ask the Secretary of State for Foreign Affairs, Whether in the case of a rupture with Spain, sufficient previous notice will be given to British shipping to enable them to leave Spanish ports?

Lord STANLEY: All I can say, Sir, in answer to the Question of the hon. and gallant Member, is that I most sincerely hope that the contingency his Question contemplates may never arise. Should it, however, unfortunately arise, every means will be taken by Her Majesty's Government to give warning and protection to British vessels in Spanish ports.

ADJOURNMENT FOR THE EASTER HOLYDAYS.

MOTION FOR ADJOURNMENT.

The CHANCELLOR of the EXCHEQUER: Sir, I rise to make the customary Motion that this House will at its rising adjourn till Monday, the 29th instant, and in doing so I cannot of course omit noticing the remark of the right hon. Gentleman opposite that this Motion might interfere with the continuation of the debate upon his Amendment. Sir, the debate did not originate on this side of the House, and therefore it would be presumption on my part to guarantee that the debate should terminate to-night. All I can say is that as far as Her Majesty's Government are concerned they are most desirous that the debate upon the right hon. Gentleman's Amendment should be concluded and the division upon it taken to-night. I shall use all the influence I may possess to secure that object; and I hope, under these circumstances, there will be no opposition to the Motion for the Adjournment.

Mr. OSBORNE: Sir, before the House assents to that Motion, I wish to bring a little matter under its consideration. I think that little matter will have some effect upon the debate, and probably also upon the division about to take place upon the Amendment of the right hon. Gentleman the Member for South Lancashire. Sir, I will put it in the form of a question, because you ruled last night that an hon. Member moving the adjournment of the House as a precise Motion early in the evening has the opportunity to reply, and as the reply in this case may be very important, I am very glad to make use of this opportunity. I accept the right hon. Gentleman's words with reference to me, and as "a sincere Reformer," speaking to a recent convert, I trust that I shall be listened to. I wish to ask the right hon. Gentleman the Chancellor of the Exchequer whether he has commissioned the Secretary for the Treasury and the hon. and gallant Member for the county of Dublin to enter into any arrangement with one or two Members on this side of the House professing peculiar opinions. ["Oh, oh!"] If the House will not be impatient I will lead them gradually up to the little matter. I will give my evidence and I will shrink from nothing. It will be in the recollection of the House that in the course of the debate last night the hon. Member for Oldham made a speech in which, although he expressed himself in favour of the proposition of the right hon. Gentleman the Member for South Lancashire, he yet held out hopes to the other side of the House, and to the Treasury Bench in particular, that circumstances might arise in which he would vote against the right hon. Gentleman's Amendment and would give his support to the Government measure. Now, Sir, a document has been put into my hands for which I am not responsible; and I hope, for the honour of Parliament, that the right hon. Gentleman the Chancellor of the Exchequer will be able to deny its authenticity. We have all heard in past times of a thimblerig Administration, and if this document be authentic—and I have no reason to believe that it is not authentic—and possibly the hon. Member for the Anglesea boroughs will corroborate my statement—there is indeed the commencement of a thimblerig Government. Now here, Sir, are the minutes of a conference—a conference or conversation—which has taken place between the hon. and gallant Member for the county of Dublin and the hon. Member for Swansea, who sits below the gangway, together with one or two other hon. Members of the Liberal party. And it is this:—"At the request of certain Members Mr. Dillwyn has committed the terms to writing, and, at their request, he has shown it to Colonel Taylor to know whether it is correct. After reading it over, Colonel Taylor has admitted it to be correct—the purport being that Colonel Taylor undertook, as a gentleman and a man of honour, to press upon the Cabinet the desirability of adopting Mr. Hibbert's Amendment; and further, he gave an intimation that Lord Derby and Mr. Disraeli were personally in favour of accepting it." Now, what I want to know is, was that hon. and gallant Gentleman commissioned by the right hon. Gentleman the Leader of the House to enter into such an agreement? I wish to know whether he was commissioned to make this arrangement; and, if so, whether the right hon. Gentleman the Chancellor of the Exchequer has consulted his Cabinet upon the propriety of such a proceeding? I put to the right hon. Gentleman that question. The document I have read to the House has been placed in my hands, and the statement I have made will be authenticated by the hon. Member for the Anglesea burghs.

Mr. OWEN STANLEY: In answer to the appeal made to me, I have no hesitation in saying that I, in common with many other Members of this House, have seen and read this document; and I believe that its contents, or the purport of them, as read by the hon. Member for Nottingham, are substantially correct. At the time I saw it I stated to the hon. Gentleman from whose hands I took it and read it, that I hoped he would not confide in such a loose document; but that he would take the earliest opportunity of asking the right hon. Gentleman the Chancellor of the Exchequer if the hon. and gallant Member for the county of Dublin was authorized to make the statement referred to in the document.

Mr. DILLWYN: As my name has been brought under the consideration of the House, I cannot but express my surprise that it should have been so used by the hon. Member without making any communication to me. And I am also surprised that the hon. Member for Nottingham should have brought forward this question without having given notice of his intention to do so. I have no hesitation in explaining the part I took in the matter, and in stating to the House exactly what occurred on the occasion referred to. I had some conversation with the hon. and gallant Member for the county of Dublin respecting the adjournment of the House for the Easter holydays. I told him that I was one of those who were very desirous —as I still am—of seeing some sort of compromise come to upon the question of Reform, and of seeing a Reform Bill carried this Session; and that I wished to see whether or not some arrangement might be made by which the views of the different parties might be met. In repeating private conversations with gentlemen, it is very difficult to say whether one is betraying confidence or not—especially if documents like the one I showed to the hon. Member are to be brought forward in this manner. But I believe I am not violating any confidence when I state what took place between the hon. and gallant Member for the county of Dublin and myself, in which there is nothing of which either he or I have any cause to be ashamed. I met the hon. and gallant Member for Dublin county, and I mentioned to him that the acceptance or non-acceptance by the Government of the proposition of the hon. Member for Oldham might influence my conduct with respect to other clauses of the Bill. We talked over the matter together, and it was said that there was great difficulty in discussing some of the questions at issue, in consequence of the illness of an eminent Member of the Cabinet—I hope I am not saying what I have no right to say, but an eminent man may be ill without being ashamed of it. In consequence of the illness of that distinguished person, I understood that the Cabinet were in some difficulty with regard to matters which required discussion; and it was then suggested that an adjournment of the debate over the holydays might be proposed—not for the purpose of delay or of throwing dust in the eyes of the House, or of postponing the question of Reform—but to secure the careful and deliberate consideration of a question which had been suddenly brought under the attention of the House. The notice of the Amendment which we are to discuss to-night was not handed in until about one o'clock this morning; and the Cabinet were desirous, as I understood—although I am not in the confidence of the Cabinet —of having an adjournment for the consideration of that and many other questions, and not for the purpose of throwing dust into the eyes of the House, or for the mere convenience of adjourning the question of Reform over the Easter recess. The hon. and gallant Gentleman the Member for the county of Dublin gave me the assurance frankly, and as between two gentlemen, that those were the only objects desired; and, in order that I might be accurate, I jotted down a minute of the conversation on some paper in the lobby. I showed this memorandum afterwards to the hon. and gallant Member for the county of Dublin, and he agreed that it correctly represented what had taken place; I also showed it to some hon. Members among my friends, and that is the sum and substance of what occurred; and I do not see that there is anything in what I did that I have any reason to be ashamed of.

Sir HENRY EDWARDS: As the hon. Gentleman the Member for Nottingham has asked a question this afternoon, may I be allowed, in my turn, to put another question to him? I wish to ask the hon. Gentleman, whether he has given notice to the hon. and gallant Gentleman the Member for the county of Dublin, as in common fairness he ought to have done, that he intended to refer to this subject to-night. [Mr. Osborne: Yes, I did.]

Unfortunately, the hon. and gallant Gentleman has met with an accident which will probably prevent him from being in his place to meet the statement that the hon. Gentleman has brought forward. I cannot, however, help designating the attack which the hon. Member for Nottingham has made upon the hon. and gallant Gentleman the Member for the county of Dublin as most unfair, uncourteous, and improper. I would therefore ask the hon. Gentleman if he has had the common courtesy which is usually exhibited by Members of this House to give notice to the hon. and gallant Gentleman whose conduct he has attacked this evening?

Mr. OSBORNE: Yes, Sir, I have had that common courtesy.

Mr. AYRTON: All, Sir, will admit that no one renders a greater service to his country than a gentleman who in times of great crises endeavours to mediate between contending parties, and to arrive at a solution of great public difficulties. It is, however, necessary that a gentleman who acts that part should take a course consistent with his own honour, and consistent with the honour of the party to which he belongs, and if my hon. Friend below me thinks that he has taken such a course, I should be the last person in the world to question his conduct. But it is always desirable that when transactions of such a character take place they should be attended with as much publicity as possible, and that no one should be afraid of the purport of their communications being made known either to this House or to the country at large. But what I particularly desire to call the attention of the right hon. Gentleman to before he answers the question put to him is the fact that the Amendment to which this minute of conference refers is one of extreme ambiguity; and I wish particularly to know in what sense that Amendment is understood by the right hon. Gentleman, who has made it the subject of negotiation, since it is capable of two very different constructions. The hon. Member for Oldham has placed an Amendment on the paper which will have the effect of maintaining the clause to which it refers exactly as it now stands, superadding, however, a condition repudiating what I have always understood to be the fundamental position of the Government—the personal payment of rates by the occupier and voter; but the Amendment also assumes that any occupier of a dwelling-house irrespective of the question of value is to be qualified to vote. It proceeds upon these two assumptions—first, that the clause shall give to every occupier of a dwelling-house in a town the right of voting; and secondly, it assumes that the Government abandon the personal payment of rates as a condition of enjoying the franchise. Now, I wish to ask the right hon. Gentleman, if he accepts the Amendment, whether he accepts it in that sense, or whether he accepts it in the sense that it will put a limit upon the right of voting very different from that put by the clause in its original form. If he accepts it in the one sense the Amendment amplifies the franchise conceded in the clause by striking out the conditions in the latter part of the Bill; if in the other sense, the Amendment is a further and greater restriction than that which is offered by the right hon. Gentleman the Member for South Lancashire. It has been authentically stated in the House that this Amendment has been the subject of negotiation between the Cabinet and the hon. Member for Swansea (Mr. Dillwyn); and I therefore want to know in what sense it has been the subject of such negotiation, and I wish to put this consideration forward before the right hon. Gentleman answers the question. If he answers that he intends to accept the Amendment, I should like to know in what sense he does so, whether as an Amendment to the clause as it now stands, or as an Amendment to the clause as it may be very materially modified by the adoption of other propositions? I hope we shall have a very distinct statement on this point, as it would be a deplorable thing if some hon. Gentlemen who sit here, and who are not perhaps familiar with the forms of the House, should only be led into error through an imperfect understanding of what is proposed.

The CHANCELLOR of the EXCHEQUER: I am afraid that my communication will disappoint the curiosity of the hon. Member for Nottingham, for I have very little to say. This negotiation was quite unknown to me, and the matter seems to have been much exaggerated. All I know is, that on coming into the House yesterday, I was told that the hon. Member for Oldham would ask me a question with regard to an Amendment. I had not even read the Amendment at that time; but I said the hon. Member might ask the question whenever he liked. The House will remember—if they remember anything I say—what was my answer to the inquiry; and that is all the opinion I have expressed on the subject to the hon. Member for Oldham, and the only discussion I ever had upon it, either directly or indirectly. I regret very much that my hon. and gallant Friend the Member for the county of Dublin is not in the House. I am sorry to say that he has met with a very severe accident to-day, which has prevented his attendance as yet. With regard to the statement as to consulting Lord Derby, and other statements of that kind, it is hardly necessary for me to say that they are absurdly erroneous. I have had very little opportunity of consulting Lord Derby of late. He has been seriously ill, and he is only now recovering, and I have thought it best not to trouble him with matters of business of any kind. I should presume, therefore, that he is perfectly unacquainted with the circumstances of any such negotiation as has been alluded to by the hon. Member for Nottingham. I would venture to make one observation to the House upon this matter. I have always found it a happy characteristic of this House that, notwithstanding the severe emulation of our life, and the severe competition that prevails here, and notwithstanding the excited feelings sometimes, to which none of us are superior, there has always been among us on both sides of the House that trust and confidence which only can exist where there is the thorough breeding and feeling of gentlemen. I wish the House to consider carefully what may be the consequences of too critically examining conversations that may take place under such circumstances. I may say for myself that the moment I leave the House and get into the lobby, I readily converse with any Gentleman, whatever his opinions may be, with the same freedom that I should in society, and I should feel extremely embarrassed, and I must adopt a habit of very painful reserve, if every statement which is so made by us is to be afterwards the subject of conversation in Parliament. When I remember the frankness with which I have communicated the opinions of the Government to Members, I may say that I have had no cause in the course of my life, and having been in this House for thirty years, to regret having treated Gentlemen on both sides of the House with the utmost social confidence; and I always thought that this frankness has a great charm and consolation of its own. I do hope, though I have no wish to avoid an inquiry into the present matter, which is really a mare's-nest, that the House will not forget that which has always been our characteristic whatever may be our struggles and encounters, that there should always exist between us the sentiments of gentlemen, to soften the necessary asperity of political warfare.

Sir GEORGE GREY: I do not think that we should pursue this question further in the absence of the hon. and gallant Member for Dublin, an absence which we all naturally regret; and I quite agree with the right hon. Gentleman that there ought to be that confidence existing between one Member of the House and another to which the right hon. Gentleman has referred. But I think that this document, of which I have heard for the first time from the hon. Member for Nottingham to-day, can hardly be considered in the light of a private communication; for, if I understand it properly, it refers to a conversation which has been reduced into writing, and professes to give the opinions of most distinguished Members of the Cabinet upon a question upon which votes of hon. Members may depend, and that with this view it had been shown to hon. Members to influence their minds. A communication coming from a person, known to be in the confidence of the Government, and made use of for such a purpose, should have been made use of openly, and the whole House should have been put in possession of the matter.

Lord ELCHO: Sir, I do not wish to prolong this discussion; but I rise to ask a question of the hon. Member for the Anglesea boroughs (Mr. Owen Stanley.) It is a question which occurred to me and to other hon. Members amongst whom I have been just standing at the Bar of the House. I ask the hon. Gentleman, then, why, when this letter came into his possession, he did not give notice to the hon. Member for Swansea (Mr. Dillwyn) of his intention to have it submitted to the House? And why, since he thought it a matter of such grave public importance that it was right to bring it before the House, he did not bring it forward himself instead of asking the hon. Member for Nottingham to perform that duty?

Mr. OWEN STANLEY: If the House will allow me I will answer the questions just put to me by the noble Lord. In the first place, I wish to assure the House that the document in question was not shown to me as a private document. I was passing through the lobby when I met the hon. Member (I believe) for Lincoln and the hon. Member for Swansea talking together. They called to me, and asked me to look at a paper which they had just been perusing. I looked at it, and read it twice over. As I have before informed the House, all I said at the time was:—"I hope that you will not be satisfied with such a document." That is the history of my becoming acquainted with the document. And now, in answer to the question of the noble Lord, I have to remark, that it was not necessarily my duty to bring the matter before the House. [Some hon. MEMBERS: Why not?] Why, because I was not the only person to whom the document was shown. I believe, for example, that the hon. Member for Derby, and several other hon. Members, have seen the document. I had no desire, nor had I asked the hon. Member for Nottingham, to bring this matter before the House. The fact is this:—The hon. Member came to me and asked me whether that was correct, meaning the document. I said it was. The hon. Gentleman then said, "If I refer to you in the House, and ask you if you have seen the document; will you get up in your place and say you have?" I stated that I should be perfectly ready to do so. I repeat that I did not consider it a private document; but rather one that was intended to influence the votes of Members upon one of the most important questions that could be brought before the House or the country. I am therefore ready fearlessly and openly to justify the share I have had in this matter.

MR. O'REILLY: I have no desire to prolong this discussion. I think now that we all understand the facts of the case. I will merely say, in reference to a remark made, that notice ought to be given to the parties immediately concerned before a letter is produced in this House—that this document is not a letter at all, but a memorandum made upon a public matter, and intended to be shown to various Members for the purpose of ascertaining whether they are likely to be induced to give their support to the Government. But I wish to state to the House what the moral is which a great many Members like myself, who are deeply interested in the question of Reform, draw from the matter. It is in the memory of the House that the noble Lord the Member for Chester recommended us yesterday to adjourn our decision upon any of the grave points of the Bill until after the Easter holydays, on the ground that in the interim a satisfactory understanding might be come to or compromises made. Now, Sir, I am just as anxious as any others to see a fair compromise come to by both sides of the House, so that this important measure of Reform might be carried. But I hold that such compromise or compromises should be openly and publicly arrived at after fair discussion in this House, so that the manner in which they are arrived at may be made known to the country. The conclusion I draw from the transaction is this—if we do adjourn over the recess without disposing of the critical part of the Bill which we are to debate to-night—if the compromises hoped for or anticipated are not such as may be publicly offered or accepted in this House, then it is much more becoming of us to come at once to a decision upon the question before us. I arrive, therefore, at the conclusion, and I think the House will also arrive at it, that it is more essential than ever to come to a conclusion this night upon the question now under debate publicly and in the face of the House and the country, and not leave it to be settled by any such compromises as those of which we have just heard.

MR. DILLWYN: I wish to explain a matter in justice to the noble Lord the Member for Chester. Not only did I not show the document in question to the noble Lord, but I believe it was not drawn up until after the noble Lord made his Motion yesterday.

LORD STANLEY: I wish to say that I knew absolutely nothing of the communication to which reference has been made until I entered the House this evening. Whatever may be the nature of the communications that have passed between the hon. and gallant Gentleman the Member for the county of Dublin and certain hon. Members on the other side of the House, in whom he seems to have confided, they will form a question which will doubtless be explained when that hon. and gallant Gentleman is able to resume his seat in this House. That point we can afford to set aside for the present—it can wait; but there is another point respecting which we cannot wait; it is an urgent and important matter, because it affects the position of the Government and the position of the House as regards this question, and is to us a matter of personal honour. We should deeply regret, Sir, that any vote should be given to-night under a false impression; and therefore I wish distinctly to say, and I am authorized by my Colleagues to state, that we go into this debate perfectly free and unpledged, and upon no understanding direct or implied between Her Majesty's Government and any individual Member of this House as to any concessions that will be made in this Bill. I think, then, it is due to the Government and to the House that that fact should be distinctly stated. As to the propriety of certain concessions, I have my own opinion, which perhaps I may on some future occasion express. We, however, desire that the vote to-night upon the question before us shall be taken upon its merits, and upon its merits alone.

Mr. GLADSTONE: I think that the speech which has just fallen from the noble Lord is one in every way worthy of him, and that it has been heard with universal satisfaction on both sides of the House. I have no doubt that when the hon. and gallant Gentleman the Member for the county of Dublin is happily able to resume his seat amongst us he will be able to explain satisfactorily the part which he has taken in the transaction introduced to our notice by the hon. Member for Nottingham, and the apparent discrepancy, so far as I can gather, between the contents of the document which has been read, conveying his view of the matter, and what has just fallen from the Chancellor of the Exchequer. I have only one word to say upon the Question of adjournment. The right hon. Gentleman expressed his desire that discussion upon the Amendment which I have moved in Committee upon the Representation of the People Bill should terminate to-night. I believe that it will be for the general convenience of the House that this result should be arrived at. I know that it is impossible to obtain an absolute pledge from hon. Members; but as the declaration of the Chancellor of the Exchequer proceeded without any contradiction or expression of dissent from any quarter, I apprehend that we may safely assume it is the intention of the House that the debate should terminate to-night. If any doubt exist upon this point, I think it would be the wiser course to postpone the Motion for Adjournment until the debate is concluded. I think, however, after the assurance given by the right hon. Gentleman, and the silence of the House in respect to it, it may be taken to be the general desire of hon. Members that the debate should close. For my own part, I am ready to assent to the Motion and to allow the Question to be put.

Mr. DARBY GRIFFITH: For my own part, Mr. Speaker, I beg to say that I draw a diametrically opposite inference from that expressed on the other side of the House from the event that has occurred this evening. We have heard with great sympathy of the unfortunate illness which has overtaken the head of the Government—an illness which prevents Lord Derby from taking his legitimate place at the head of the Cabinet. Such a circumstance is, of course, calculated to impede any of those concessions or compromises of which we have lately heard, and which I believe a very large proportion of the House is desirous of effecting fairly and honourably in the interest of the country as well as of this House. The Leaders on both sides have expressed a wish to settle this question without been obliged to resort to the extremity of a party conflict. The unfortunate circumstance of the illness of Lord Derby has, however, interfered to prevent any such settlement being arrived at.

ARMY—SUPPLY OF BARRACK STORES.

QUESTION.

Colonel FRENCH said, he rose to ask the Secretary of State for War, Whether he will lay upon the table a Return of the Rugs and other Barrack Stores put on board the *Lady Eglinton* steamer which sailed from Dublin for Tilbury Fort, Gravesend, on the 27th March, with the Depôt 83rd Regiment, and to show what provision was made for the men's comfort during a voyage of four days and nights?

Sir JOHN PAKINGTON said, in reply, that, in consequence of the notice of the right hon. and gallant Member's Question, he made inquiries on the subject at the Horse Guards, and he found that the circumstances were such as he had mentioned. He regretted to find that the depôt of the 83rd Regiment were put on board the *Lady Eglinton* without the usual supply of rugs and barrack stores ordinarily supplied to troops under such circumstances. He was unable then to say who was to blame for it; but inquiries were being made into it by the Quartermaster General.

Motion *agreed to.*

House at rising to adjourn till *Monday* the 29th day of this instant April.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[BILL 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Lord Stanley.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Occupation Franchise for Voters in Boroughs).

Amendment proposed,

In page 2, lines 3 and 4, after the words "and 2," to insert the words "whether he in person or his landlord be rated to the relief of the poor."—(*Mr. Gladstone.*)

Question again proposed, "That those words be there inserted."

MR. ROEBUCK: Sir, in prefacing what I am going to say I may be permitted to enter my protest against the language used in this House, but more especially on this side of the House, and by persons out of doors, with respect to the difference of opinion which prevails on this Bill. Every person who is supposed to differ from the majority on this side of the House is at once branded as a sham Reformer, as a traitor to the cause, as a fool or a knave, or both. Against this I enter my protest. I have heard many things said in this House, many strange things have occurred, and not among the least strange is this of to-night. But, Sir, I am bound to say that, as far as I myself am concerned, I claim the right to have an opinion, and also the right to express that opinion. In making that statement I do not mean to dictate to anybody. And though I may be called a "mushroom" ["Oh, oh!"]—yes, that was the phrase—and though I am obliged to put up with that elegant phraseology, I have a duty that lies before me straight in my path—a duty that I will perform to the best of my ability—and that duty is to state the reasons why, in my opinion, of the two propositions before the House at the present moment, one is better than the other. Of these two propositions one is made by the right hon. Gentleman the Chancellor of the Exchequer, the other by the right hon. Gentleman the Member for South Lancashire. The right hon. Gentleman the Chancellor of the Exchequer wishes to add to the constituencies of this country; with what occurred in 1832 he says that he does not meddle; but there are persons now existing whom he wishes to add to the constituencies, and as a means to that end he proposes to extend what in 1832 stopped at the £10 householder, to the other end of the scale, so as to take in all householders. The proposition of the right hon. Gentleman the Member for South Lancashire—and we are obliged to look at the whole matter and not at the small piecemeal fashion in which it is put before the House—his proposition, as a whole, is that we should stop at a £5 rating. He does not express himself plainly as to what he intends to do with this £5 rating; he frames his proposal so as to catch votes on both sides of the House, and all the rest he leaves in darkness. Now, Sir, I have to ask myself which of these two plans is the better one. The thing that recommends itself to me in the plan of the Chancellor of the Exchequer is this—that it draws no invidious line of distinction between one class and another of voters. He gets over that difficulty, which is the difficulty of the £10 household franchise. You stop at £10; but there is no principle in stopping at a particular sum, £9 or £10. The £9 householder may be as good as a £10 householder. The £10 franchise therefore is based on no principle, and the consequence has been that all persons below the £10 householder have been angry and wrath at it. Now, what does the Chancellor of the Exchequer say? "I will take away that distinction; I will make applicable to the lowest class of householder the law that stops at the £10 householder, but that which has been required of the latter I will require of every man." But the Bill introduced by the right hon. Gentleman the Member for South Lancashire and the hon. Member for Birmingham—[MR. GLADSTONE: Nothing of the kind]—I assure the right hon. Gentleman that he need not be so very angry with me as he appears to be. I mean no offence. I merely mean to speak of him with the same freedom as he speaks of other people. I was saying, Sir, that the Chancellor of the Exchequer proposes to extend to all classes of householders the same privilege as that which is now enjoyed by the £10 householder. But "No," says the right hon.

Gentleman the Member for South Lancashire and those who act with him; "there is the Small Tenements Act in the way, and there is that irrepressible person called the compound-householder." Now, let us see what all this means. I will just make a simple statement, and I will ask any one to give me an answer to it. Suppose town A, with a proprietor of certain tenements. We will suppose that these tenements are £6 tenements, and we will suppose that the proprietor compounds for them. Then, taking a hypothetical figure, suppose that each of the £6 houses would pay 20*s.* poor rate, but that, by compounding for them all, the proprietor has to pay only 15*s.* for each—the difference being 5*s.* It is proposed by the right hon. Gentleman the Chancellor of the Exchequer that, by a provision in this Bill, the compound-householder may send to the overseer and say, "I wish to be rated in future; make me responsible for the rate." If he, the tenant, does this, the result will be that, instead of paying 15*s.* to the landlord, he will pay 20*s.* to the State, deducting 15*s.* from the landlord. But then comes the right hon. Gentleman the Member for South Lancashire, who calls that a fine. [Mr. GLADSTONE: Hear, hear!] Oh, yes—a fine; there is nothing like a catch word. But, let me ask the right hon. Gentleman, what is the difference between the position in which that process will place the man who goes through it, and the position of the uncompounded-householder, who lives in a £6 tenement, and pays the 20*s.*? Why, because a man is a compound-householder is he to be favoured to the extent of 5*s.*? Now, I want an answer to that. I do not want minute arithmetical calculations; I do not want mellifluous language; I do not want verbose statements; but I want a plain answer, and I say that it cannot be given. The right hon. Gentleman says, "No; I won't accept it. This is holding out a boon with one hand and taking it back again with the other." When the Chancellor of the Exchequer talks of personal rating, he does not mean it to be essential that the man must with his own hand pay the 20*s.* He means that the man himself must be answerable for the 20*s.*, and get a receipt for it. But that is the case of the £10 householder; and yet it is only now we find out the hardships of such a condition. I do not believe the right hon. Gentleman the Member for South Lancashire was in the House at the time of the passing of the Reform Bill; but I never heard anyone object to the £10 householder being placed in that condition except the Radicals, of whom I was one. I have, however, seen the error of my ways. Now, Sir, I do not know that there would be danger in taking away the ratepaying clauses from the £10 householder; but I am sure, and I think the people of this country, people of property, wealth, and virtue, will feel that they have security in the payment of rates, without which you would let in that beautiful residuum which the hon. Member for Birmingham has so artistically described, and you will have all sorts and descriptions of people voting for Members of Parliament. I want to prevent this. I do not want the rabble to vote, but I do want those of the labouring classes who have honour, feeling, and virtue to vote. But then it may be asked, how can you point out those who are the virtuous men? I do not intend to point them out; but I say that in all human affairs you must be guided by general principles, and if you find that a man has a settled home, in which he has lived with his family for a number of years, you have a man that has given hostages to the State, and you have in these circumstances a guarantee for that man's virtue. I say then that there is good reason for making the distinction. There is one thing in which almost all persons agree. The Chancellor of the Exchequer does not want to admit every one. There is a large party whom he wants to keep out—that portion of the population whom, for want of a better phrase, I have called the rabble. On this point the right hon. Gentleman the Member for South Lancashire says the same thing as the Chancellor of the Exchequer, and the hon. Member for Birmingham says the same thing as the two right hon. Gentlemen. But there is another view of the proposition of the Member for South Lancashire. It is a Conservative proposition. It is far less popular, to use an expression of the Chancellor of the Exchequer, than the Bill of the Government. Then it has the effect of lessening and cutting down the constituencies; and a very significant thing happened last night, which I beg hon. Gentlemen on this side to recollect:—Last night the Amendment of the right hon. Gentleman the Member for South Lancashire was supported by the noble Lord the Member for Stamford. Why? Because it is a Conservative proposition. Well, the very thing which makes the noble Lord support it makes me oppose it. I want a measure more liberal and more popular, and I want an answer to what I have said. I do not want exclamations, in the form of running comments, by hon. Gentlemen behind me, which are very easy for any one to make, and impossible for any one to answer. It appears to me that the matter is a very simple one. I will not go any further into detail; but before I close, Sir, I will say that observations are made very often on conduct like mine by Gentlemen who have suddenly started up in the character of Reformers. Now, what possible interest have I in the matter? Why, this—the interest of my country. ["Oh!"] That comes from the right hon. Gentleman the Member for Calne. [Mr. LOWE: No!] Then I beg the right hon. Gentleman's pardon. I have no earthly object in view except the one I have mentioned. I never have been in office, and I know not the sweets thereof; I never have been turned out of office and kept out of office, and therefore I know not the bitterness thereof. It is strange the lengths that these circumstances lead men to go. They become rampant Reformers, and play Jack Pudding before this House; they do anything to please; and by their noisy advocacy they seek to regain power. I am not one of those. I never have been in power, and I cannot hope to attain to that position now. My object is to get for the people of England a Bill during the present Session. Can those who propose this Amendment say the same thing? They mean decidedly the opposite, and it appears to me some of them are so anxious for office, that they are ready to jump over the table on any pretence whatever. It is all very well when anything in their favour comes from the other side to give shouts of exultation; but when the recoil comes it is not so pleasant. I have made my observations, short and simple as they are. I want an answer to them. I believe that answer can only with difficulty be given, and I shall vote for the proposition of the Chancellor of the Exchequer.

MR. BERESFORD HOPE: If I wanted a further reason for voting for the Amendment of my right hon. Friend the Member for South Lancashire, I should find it in the speech which we have just heard. The hon. and learned Member for Sheffield has proved, by his own confession, that the Bill is an appeal to the ambitious passions of the working classes, with its lure of virtual household suffrage; at the same time it is, with its sham restrictions, an appeal to the timidity of hon. Gentlemen on this side of the House, who are afraid of anything they may fancy a large extension of the suffrage. It is recommended to us because we are told that the question of Reform must be settled; but how can any one in his senses expect that Reform can be settled by a policy which professes to provide a sliding scale franchise—a franchise which cannot be defined within the four corners of the Bill, but which is to be left to the discretion of every vestry, acting under all conceivable impulses of narrow and corrupt feeling, to give or to withhold according to its fancy? Some boroughs, we know, have adopted the Small Tenements Act, and some have not; so that, let us pass this Bill, then there will be, in every borough which has come under the operation of the Small Tenements Act, a perpetual wrangling contest on the part of those who wish to get the franchise which will redound to the sole advantage of the election agent, who will, we may be sure, be always urging them to pay the fine and finding the means for them to do so. Hon. Gentlemen have been told that if they do not pass this Bill a dissolution will follow. But I ask what are we to be dissolved for, and what is to be the cry? On what principle does the Chancellor of the Exchequer propose to go to the country? Is it to be household suffrage or personal rating? Conservative restriction, or Liberal progress? I do not believe that the occupants of the Treasury Bench could have the effrontery to go to a dissolution. A great question like the first Reform Bill, or Catholic Emancipation, was a fit subject for a dissolution; but the fight over the compound-householder is a struggle of quite another class. Although Parliament has occasionally been dissolved on some comparatively trivial defeat, as was the dissolution of 1857, on the alleged insult to the *Lorcha Arrow,* which indirectly proved fatal to the first Government of Lord Palmerston, still, in the history of the world, no dissolution will ever have taken place on so miserable a cry as the pretended principle of the rights of the compound-householders in the hands of a Conservative Ministry. Hon. Members may not yet have forgotten some amusing story books which came out several years since, in which two gentlemen, named Taper and Tadpole—subordinate Members of the Government, or of the Opposition, it is immaterial which—are introduced, laying their heads together to devise some cry on which to go to the country at a General Election shortly after the Reform Bill. These worthies at length settled on some alliterative and jingling clap-trap which I will not quote, because allusion is made in it to an illustrious person whose name ought never to have been introduced in such a connection. This story gives us some idea of the system of administrative trickery which passes for statesmanship with some who are now in power; but I believe it would not succeed if put into practice at the present moment; and sure I am that if the Government goes to the country it will find it difficult to frame any cry which will serve its purpose. I do not think "our new institutions and our old compound-householder" would be successful. Those on this side of the House have been informed by the hon. Member for Westminster that we are the stupid party; but it is to be hoped that we are at least an honourable party of Gentlemen, and that we shall not, for the sake of a longer tenure of the Benches on the Ministerial side of the House, sacrifice those principles on which alone we can exist as a party. These principles may be summed up in this formula—that the best test and rule of Government is its results; and that, in the organization of the Constitution, we ought not to inquire so much regarding the comparative numbers of those who possess votes and those who do not, as we should respecting the qualifications likely to produce a class of persons who will return Members to Parliament capable of governing the nation upon enlightened principles. These may not be the old Tory notions on the subject; but the old Tory notions, like the old Whig notions, have been buried long ago. These are, however, the principles of the enlightened Liberal-Conservatism of the present free trade generation, cradled in the days of the great Reform Bill. This generation ought to have learned, during the last thirty-five years, the importance of relying on the middle classes. It ought to appreciate the education and competence of that class, and to understand the elements which are needed to create a good, stable, and enlightened Government. This is the Conservatism of the Reform Bill, the Conservatism on which Peel built up his great party. The old Toryism of the ante-reforming days was a great tradition, but it is past and gone never to return. What are we then to say of those who, in the face of this fact, and for their own self-interest, pretend to raise up a pale and marrowless ghost of that old Toryism of Bolingbroke and his "Patriot King"—and wish to set the middle and the upper class against each other to their mutual destruction, until nothing will be left but the Crown on one side and the mob on the other. Although this object is not specifically recited in the clauses of the present Bill, yet it is one which stands within the overt aim of its author; for, as I will prove, the history of the last twenty-five years shows that an influence has all along been at work—steadily and stealthily, quietly and smoothly working up to that end; until now at last the consummation has come. A dissolution is threatened in which it is clear that the mob—the "residuum"—will be brought out, and this dissolution will, if it succeeds, for ever crush the great middle class of England, and put our country at the mercy of dreaming romancers, and democratic theorists. I am no friend to bringing up the rash utterances made in the early youth of budding politicians; it is an ungenerous system of warfare; but the Committee will own that a Member who had for several years commanded the attention of the House could no longer be termed a budding politician two years before he became the Leader of a great party and overthrew a famous Minister. The utterances of such a man, at such a period of his career, must be symptomatic of his formed opinions. Well, then, an hon. Member who, in 1846, compassed the overthrow of the most powerful statesman of this century, speaking on the condition of Ireland, upon the 16th of February, 1844, said of his own opinions "they were Tory principles, the natural principles of the democracy of England." He went on to say that "Whig principles were the natural principles of the aristocracy of the country," and he added, "he was content to tread in the old path, the natural way," he repeated, of the "democracy of England;" while the hon. Member wound up with a sentence, the truth of which I will not deny, "If the Government did not lead the people, the people would drive the Government." These were the sentiments of the then hon. Member for Shrewsbury, now the right hon. Member for Buckinghamshire, and Leader of this House. It is to be noted that in those days the hon. Member was a vehement freetrader, as I could show from other passages of his speeches, and that no small amount of the staple of his invective against Sir Robert Peel was founded upon that statesman's still lingering advocacy of protection; but that as soon as Peel honestly yielded to conviction, and accepted full free trade, the Member for Shrewsbury turned right round and made use of the protectionists, at whose head he then placed himself, as his instruments to overthrow Sir Robert Peel. These are the principles on which the Chancellor of the Exchequer has organized the party by whose aid he has three times driven his rivals out of office; while on every one of these three occasions he has led up to—and twice consummated—a theatrical dissolution of Parliament, in each case hitherto—and I think that that analogy will still hold good—followed by a speedy and ignominious downfall. Such is the Leader of our once great party, who has now brought forward this double-faced Reform Bill—on one side fenced with those restrictions which the first breath of open air will tear down—which any parish vestry, led by any local Beales or Odger, will laugh to scorn—and on the other side bedizened by appeals to the truculent democracy of which the Chancellor of the Exchequer is of old so fond, as essentially a measure of household suffrage. The £5 line is intelligible whether one likes it or not. It lays down the tangible and sensible principle that solvency is the best test of respectability, and therefore of the franchise; and that the most available criterion of the voter's solvency is to be found in the value of the house which he is able to inhabit with his landlord's approbation. On the other hand, the question of whether this value is to be calculated in rental or on rating is, after all, a mere matter of detail. Last year, in the ardour of party conflict, the democratic Leader of the Tory party, and his right hon. Friend the Member for South Lancashire, reciprocally goaded their followers into elevating up to questions of principle things which really were only matters of detail. Taking the rental or the rating as the franchise figure is merely coming, by one way or the other, to the certainty of appreciating that a man pays his way and lives in a house of tolerable comfort. This principle of solvency involved in the payment of his own way on the voter's part, and of the tolerable comfort of the house in which he lives, seems to be the best test to apply in the choice of those who are to obtain the suffrage. But the Chancellor of the Exchequer abandons that principle as illusory, and takes up that which truly is household suffrage; while, for reasons of his own, he hems it in with provisions only available for the benefit of the Tapers and Tadpoles, who, as he hopes, will pull the strings, and of the country attorneys who will, by his calculations, manage the elections. These are my reasons for supporting the Amendment of my right hon. Friend the Member for South Lancashire. I know that for saying what I have done I shall subject myself to pointed gibes from one Member of this House; but I am old fashioned enough to think that pointed gibes from some quarters may be a real compliment to an honest man. I am prepared for anything which I may hear. I have, since the great Conservative break-up of 1846, been longer out of Parliament than in it; because, although I have ever been a Conservative or Tory, I never would fall down and worship the golden image set up in the deserts of Arabia. I have been a free lance long enough, not much to mind whatever may happen to me; and I can say that, sink or swim, dissolution or no dissolution, in or out of the next Parliament, I, for one, with my whole heart and conscience, will vote against the Asian mystery.

Mr. W. E. FORSTER said, that he trusted that the Committee would allow him to explain as a Radical Reformer, whose Radicalism dated back to the training of his childhood, the reasons why he should support the Amendment of his right hon. Friend (Mr. Gladstone). It was true that there was much in the Bill of the Government which tended to attract, or he might say delude, Radical Reformers, because it appeared—but he thought it only appeared—to be based on the principle of household suffrage, which was dear to all Radical Reformers. He himself had always been, as he still was, in favour of this principle. He had supported it when it was far less popular than now; and if the present Bill really embodied this principle, no one would support it more cheerfully, more warmly, or more gratefully than he. But they had been particularly informed by more than one Member of the Treasury Bench that it was not a household suffrage Bill. The right hon. Gentleman at the head of the India Office had declared that he would not have supported it for a moment if it had been such a Bill. He advocated household suffrage because there was no other so deep, just, and impartial, and so likely to furnish a basis for the borough franchise stable enough to secure it for the future. It gave a man a share in the Government, not on the ground that he possessed any particular property, but because he was the head of a family; household suffrage had been well called "hearthstone suffrage." There was not so much difference between a ratepaying and a household suffrage as the right hon. Gentleman the Chancellor of the Exchequer supposed. The Bill, he verily believed, was better than the right hon. Gentleman supposed, better than the Secretary for India supposed. What was the meaning of a ratepaying franchise? A householder had to pay several bills—butcher's, baker's, landlord's, and that of the parish; and to give a ratepaying franchise was to say to the householder, "If you pay the parish bill, you shall vote; if you do not, you shall not vote." He was not able to understand why the payment of this particular bill should be considered a practical test of a man's solvency more than or even equally with the payment of other bills, because the parish generally took care to be paid. Nevertheless, if the ratepaying franchise was given fairly and honestly to all the constituencies, it would come very nearly to household suffrage. But this Bill did not give it honestly and fairly to all the constituencies. If it did he should have no hesitation in supporting it, even at the cost of leaving his right hon. Friend the Member for South Lancashire, who had made sacrifices in the cause of Reform, which were well known to the people, and he would have voted with the Chancellor of the Exchequer, whose sacrifices in the cause of Reform were unknown. But the Bill conceded nothing of the sort. The proposition of the Chancellor of the Exchequer was a good Bill for twenty-nine boroughs, for it would give them household suffrage, and he could not see how the right hon. Gentleman the Secretary for India could reconcile it to his conscience to inflict household suffrage upon these boroughs. He (Mr. Forster) did not wonder at the hon. and learned Member for Sheffield supporting the Bill, for it would increase the number of his constituents 11½ per cent. It was eminently a Bill for Sheffield. Nay, it was a Bill framed especially for his hon. and learned Friend, who, in supporting it, was enabled to appear before his warm-hearted constituents the Radical Reformer he was in days of yore, while in this House he appeared in the character of a Conservative. If the Bill had been as good for 171 boroughs, the greater proportion of the inhabitants of which were compound-householders, as it was for the twenty-nine to which he had referred, he would have supported it. The Bill had been described in two words, in a paper which might be called the literary organ of the Government—*The Standard*—as "an optional household suffrage." Now, on what condition was the "option" given? It was given on condition that the proposed voter should have a vote, if he paid his rate bill in a different way from that in which he had hitherto paid it—not in the way which he and his landlord and the parish had found most convenient, but by personal payment in a special manner. He was no longer to pay it through the landlord, but by a difficult and cumbrous machinery which they were to invent. He was to pay more money, and to pay it in a more inconvenient way. Now, if you had a man fit for the franchise, why impose upon him this condition? Why insist on this optional household suffrage in 171 boroughs? Not surely because these were looked upon as worse than the twenty-nine favoured boroughs? He could not for a moment suppose that the Government thought there was any special virtue in Ashburton, Arundel, Totnes, Dartmouth, or even in Oldham and Sheffield. Then why was this "optional" suffrage insisted upon? It was said that they ought to be sure that a man paid his rates. Well, if he was a compound-householder he most certainly paid his rates through his landlord; more certainly than in any other way. If any bill was taken as a test of voting, he had no objection to the rate bill, which would bring in a large number of voters. But there was another bill, which was most surely paid, and that was the landlord's bill, and in that bill the payment of rates was included. If there was any hon. Member living in country districts who was unacquainted with the ways and doings of compound-householders, let him go amongst his (Mr. Forster's) constituents, and he would soon find that they knew right well that the rates were included in their rents. His chief reason for voting with his right hon. Friend was that he objected to the proposed test—the proposed safeguard. If a diminution of the number of voters was wanted, let it be brought about in some other way. He did not see why, because a man was poor, he was to be treated differently from those who were richer than he was. It was not right to inflict on him a fine, not only in money, but in loss of time, in making his claim. The Secretary of the Treasury seemed to think there was no fine; but the hon. Gentleman could not have attended to the remarks of his Colleague, the Secretary for India, who spoke of the new voter as "mulcted." Indeed, one could not but believe that this fine afforded consolation to the right hon. Gentleman because it held out the prospect of deliverance from the spectre of household suffrage. Now he (Mr. Forster) objected to the Bill strongly because it did thus fine the compound-householder. In Bradford the general average rent paid by a hardworking artizan was 3*s.* 6*d.* a week, out of which the landlord paid 6*d.* a week to the parish in the shape of rate. If the artizan were obliged to pay the rate himself, he would have to pay 8*d.* a week to the parish instead of 6*d.* Would he not regard this as a fine, and feel that he was treated worse than his richer neighbours? He objected to the Bill because it would fine the new voter, and make him pay more money than he did at present. The general average rent of artizans, including rates, was 3*s.* 6*d.* a week. Out of that sum the landlord paid about 6*d.* to the parish. If a compound-householder was called upon to pay the rate himself he would have to pay 3*s.* to the landlord, and 8*d.* to the parish. Now, could any one imagine that he would not look on the extra payment as a fine? He objected also to the new compounders being treated in a worse way than the old compounders. The hon. Member for Oldham appeared to have taken under his protection the new compounders. He was not surprised that the hon. Gentleman was doing his best to save the Bill, because for Oldham it was as good a Bill as it was for Sheffield. It would give to Oldham 10,000 voters. The population of Oldham was about 107,000—nearly the same as that of Bradford. The occupations of the people were somewhat similar, perhaps they could not imagine two boroughs more exactly alike. But whilst the Bill gave to Oldham 10,000 voters, it would give to Bradford only 3,500, about half as many as a £5 rental would give. He hoped the hon. Gentleman (Mr. Hibbert), who had taken the new compounders under his protection, would see that they really were put on the same footing as the old compounders; and would not, when his right hon. Friend (Mr. Gladstone) proposed an Amendment for their protection, be deluded by promises now made, now disavowed, of something which the Government might or might not do after a critical division. He objected to the Bill because it would place the new compounders in a worse position than the old, and could not see any ground for a personal payment of rates. If they chose to interpret personal payment into payment by the tenant himself to the rate collector, and would not allow him to pay through his landlord, why was it that they made the person who happened to live in a house of less value than £10 a year pay more in proportion than that other compound-householder who lived in a house worth more than £10 a year? He also objected to the Bill because it treated one borough different to and worse than another. The Chancellor of the Exchequer said that was a great advantage, he thought there was too much dreary monotony at present;. but that was a sentimental and artistic view of the question, and would hardly find favour with the 171 boroughs which would think themselves worse treated. Whatever concession they were now making should not be made in the most capricious and fitful manner they could devise. He had compared Bradford and Oldham, and if he went on he might weary the House with comparisons; but there was the borough of Leeds, not far off from the borough of Sheffield, also in the West Riding of Yorkshire, which had a population of about 10,000 more than Sheffield; while Sheffield would have 11½ per cent of the new voters—28,000 out of 245,000 being given to it—and there would be 25,000 in Leeds who would be unable to come in. Not only was one borough left in a different position from another, but one part of a borough was left in a different position from another part. Again, he could not for a moment think that this House would consent to give up its legislative powers to a number of vestries, and oblige them to mix up with their economical arrangements, for the best mode of paying the rates, political considerations. By this Bill they would give power to the vestries and at the same time occupation to the election agents. Doubtless, among the compound-householders there would be some good men who would put themselves on the register at any cost of time, trouble, or money; but hon. Gentlemen knew what human nature was, and they must judge of those men as they would of men in their own rank of life, and they knew that a large proportion of them would not take the trouble to get themselves put on the register. But would they be let alone? Would the election agents let them alone? The election agents would not, and committees, candidates, and members would not be able to let them alone. They would have, as the hon. Member for Stoke had told them, a constant electioneering contest going on from the day this Bill became law until these restrictions were all swept away in the 171 boroughs. They would have candidates, committees, members, and agents, all declaring, "You must take care our friends are discovered, put upon the register, and kept there." He knew there were provisions in the Bill by which they thought they could prevent these rates from being paid by the candidate; but he did not believe they would prevent it. The real result, he believed, would be that an electioneering contest would be constantly going on, and that the candidates would find it a very costly one for them, and would have to spend a great deal more money in order to get into Parliament. He could not understand how the House could, with its eyes open, pass a provision which they knew would induce and tempt men to spend more money in electioneering contests, and it seemed to him that that would be giving a premium for bribery and corruption. This Bill would give great and undue power to the man of wealth, and that was one of his objections to it. He now came to his last objection to the Bill, and that was that the checks contained in it would not last. He saw the hon. Member for Derby (Mr. Bass) in his place, and he knew very well what was passing in his (Mr. Forster's) mind. He felt that as a Radical Reformer he was in a difficult position. He knew that these absurd and obnoxious restrictions could not last, and that within four or five years they would all be swept away. And why then, it might be asked, should he not, as a Radical Reformer, vote for the Bill? He, indeed, knew that these restrictions would be swept away, but how? By constant agitation. By an agitation the more fierce and the more bitter, because, in addition to the great general question upon which it rested, it would be mixed up with local and personal squabbles which Her Majesty's Government chose to bring into the matter by mixing up political with parochial arrangements. Although, then, as a Radical Reformer, he desired to further a Radical Reform, he could not forget that he was a Member of the Legislature, and he could not help thinking that of all the Acts he had assisted in passing there was none less statesmanlike or less patriotic than that introduced at this juncture, and after all the agitation that had taken place, under the pretence of settling this question. Would the House, with its eyes open, pass a Bill which, in common with the Member for Derby, he knew, instead of staying the agitation, would only provoke it? He did not for a moment believe that the House would consent to it. He felt that he was under a grave responsibility, not only as a Member of the House, but because he had had something to do with the agitation out of doors. [*Ironical cheers.*] He was not ashamed of the part he had taken. He had felt it his duty to attend large meetings of his fellow-countrymen; and, thinking that they were right in what they demanded, he had felt it his duty to tell them that he agreed with them, and that he would do his best in aiding them. Yet the House must not suppose that he was not aware that he was, in his humble way, incurring grave responsibility by thus acting, and he would ask them not to impose upon him and others the duty—for they should think it a duty—of continuing this agitation until these restrictions were removed. He did not believe that the House intended to incur that responsibility, and if not, they must vote for the Amendment of his right hon. Friend. The noble Lord the Member for King's Lynn (Lord Stanley) in the few words which came from him that evening, with an honesty and clearness of purpose which were quite refreshing in their change from what they had hitherto heard — in those few words the noble Lord clearly gave them to understand that the question was to be decided upon its merits. He (Mr. Forster) trusted that the House would vote for it upon its merits. The merits were, whether they would insist upon the personal payment of rates in this particular manner, as the basis of the franchise. He must frankly say that he did not altogether agree with all the details of the Amendments of his right hon. Friend; but because he did not agree with them was he going to stultify himself by voting for the continuance of these restrictions; and, by voting for that which he was constantly told was the principle of the Bill, was he virtually to say that it should remain the principle of the Bill? There had been much talk about a £5 rating, but a £5 rating was not the question this evening at all. He believed the majority of the House were in favour of a £5 rating. But he thought the time had gone by when a £5 rating would be accepted as a good settlement of the question. That which would have been welcomed as a boon last year, and which would have been admitted, though reluctantly, at the beginning of this, would not be received with much favour now. Probably the right hon. Gentleman had effected that by the baits he had thrown out. But let them decide that question when they came to it. What they had to decide to-night was upon what principle they should base the franchise, to whatever limit they might choose to extend it. One word more before he sat down. There had been a threat of dissolution. He looked upon that threat with great equanimity. The right hon. Gentleman the Chancellor of the Exchequer was a courageous man —he played the game of politics very skilfully. He was not only a skilful but a bold gamester, and a dissolution was one of his cards. It was very likely that the right hon. Gentleman would play his last card if he could before he would lose the game. But when the time came the right hon. Gentleman would have his Colleagues to consult. He would also have his leader to consult. He would have another gentleman to consult, too—one to whom he might, perhaps, look with as much deference as to either his Colleagues or his Leader—he would have Mr. Spofforth to consult. Upon Mr. Spofforth's advice would very likely depend the right hon. Gentleman's action. He did not pretend to say what might be passing in the brain of that gentleman; but he thought it very possible he might say that to go to the country upon this great question of inflicting upon the compound-householders this trouble and loss of time would not be a very successful proceeding in large boroughs, and that perhaps in some of the other boroughs where the compound-householders were not so strong the new version of Conservative policy would not be altogether popular or respected. Nevertheless, it was not because he utterly disbelieved in a dissolution that he looked upon the threat with equanimity, but it was for this reason —that, though they none of them knew whether they would return to that House or not, he knew that his principles would return. He knew that Radical Reformers did not look upon a dissolution on the question of Reform with fear. So far as Reform was concerned, there was much to be said for a dissolution; and although there were grounds upon which it might be deprecated, on account of the state of affairs abroad and financial depression at home—it certainly was not to be deprecated on account of Reform. If this Parliament did not settle the question, another Parliament would, and he could not forget, indeed, that this House was not elected to pass a Reform Bill, but rather to support Lord Palmerston in deferring Reform; and he felt no doubt that if a dissolution took place in consequence of to-night's division the answer which the country would send back would be clear and unmistakable. That answer, he was convinced, would be that, whatever the extent to which the franchise should be reduced, whatever the basis which Parliament might in its wisdom lay down, it should not be on a principle which inflicted upon the poor voter loss of money, trouble, and annoyance in proportion as he was poor, and which gave to the rich powers of corruption proportioned to the unscrupulousness with which they might employ their wealth.

Mr. HUNT said, that the hon. Gentleman who had just sat down had concluded his observations by alluding to the consequences of a possible dissolution. Now, he had no desire to discuss that question in connection with Reform. They ought to argue the question of Reform by itself, and without reference to what might be the effect of their vote that night, for hon. Members were bound to do their duty irrespective of any consequences that might befall them individually or collectively. The hon. Gentleman had told them that he was sure that if a dissolution took place the result would be in favour of the principles he advocated. He wanted to know what the hon. Gentleman's principles were. He knew what the principles of the hon. Member were when he sat on that side of the House below the gangway. They were principles that were not asserted one day and repudiated the next, but were, as he had just said, those of a Radical Reformer, which he had consistently advocated in that House. He was puzzled to know what the principles of the hon. Member now were. The hon. Gentleman told them that in his earlier days, before he sat in that House, he took part in an agitation for the extension of the franchise; that he felt a responsibility for the part he took; but that he was not ashamed of the course he had pursued, as indeed he had no reason to be; but would he be able a few months or years hence to affirm, on calm reflection, that he was not ashamed of the course which he was now pursuing? The hon. Member also told them that he was a sincere supporter of household suffrage. He should have thought that a sincere supporter of household suffrage would have asked himself the question with regard to the present how he could best effect the object he had at heart. When a Bill had been introduced which would give the ratepaying and residential householders in boroughs the suffrage, an unsophisticated mind would have expected the hon. Member to further the progress of the measure and endeavour in Committee to lop off the restrictions on which the Government insists in order to make it a household suffrage Bill pure and simple. That would have been a straightforward, simple course, and the course which the hon. Gentleman himself would have followed had he occupied a distinguished seat below the gangway—for the hon. Member had made it distinguished. Last year the hon. and learned Member for Richmond had declared his opinion in favour of household suffrage; but he had not heard what course the hon. and learned Gentleman was going to take to-night with reference to the Amendment. But if the hon. and learned Gentleman and the hon. Member who last spoke were sincere in wishing for household suffrage, he could tell them they were taking the most direct way of rendering the accomplishment of their desire impossible if they supported the Amendment. If a majority should declare itself in favour of household suffrage then the Bill could be proceeded with, and the hon. Gentleman might endeavour to get rid of the restrictions which the Government had determined to maintain in the qualification for the borough franchise. Every one who had spoken in favour of the Amendment—save one or two on that side below the gangway—seemed puzzled as to the grounds on which they supported the Amendment. Some said that the Bill was too democratic, while others maintained that it was too exclusive. The hon. Gentleman who last spoke had set his heart on household suffrage, but he could assure him that if he supported the Amendment he would be farther from his desire than he ever was before. The hon. Gentleman confessed that he found himself in some difficulty, because the right hon. Member for South Lancashire had given notice of other Amendments, one of which, fixing the franchise at £5 in boroughs, he could not approve of. Was the hon. Gentleman so blind as not to see that the Amendments of the right hon. Gentleman had one end, and that they were all parts of one scheme? The right hon. Gentleman, with the assistance of his Friends, had concocted an Instruction, which, as they knew, had been placed in the hands of the hon. and learned Member for Exeter, but which had so frightened the Liberal party that they were obliged to give it up. The mutineers in the camp of the right hon. Gentleman having objected to the Instruction—which was concocted, probably with the assistance of his friends, because they saw that its success would defeat the Bill and postpone a settlement of Reform for at least another year—the right hon. Gentleman, who was very pertinacious, and sometimes showed considerable acuteness, finding that he could not carry his Instruction as a whole, resolved to split it up into sections, and the Amendment before them was the first section. The right hon. Gentleman will get the hon. and learned Member for Richmond and the hon. Member for Bradford to vote for that section, and then he would get other hon. Members to vote for the other sections, and thus he would do in detail what he could not do in the gross. There was a well-known custom in the country, when certain characters were bent on an illegal expedition in which the carrying of a gun would excite suspicion. They took the gun to pieces, and sometimes the stock and barrel were carried by different persons. But at some agreed on place they met and put the pieces together, and thus obtained a complete weapon ready for use. That was the very cunning and adroit course taken by right hon. Gentlemen in their attack on the Government; but he doubted whether it would take in those hon. Members who had refused to accept the Instruction. He did not understand the ground upon which hon. Gentlemen were going to vote against the proposal of the Government. The hon. Gentleman had just told them that the Bill was an excellent Bill as regarded twenty-nine boroughs, because in these the Small Tenements Act was not in operation, and that household suffrage would be the result. But hon. Members opposite were not unanimous in taking that view. At a suspicious time a pamphlet was put forth, which stated what the duty of the Opposition was in regard to this Bill. The whole tenor of the pamphlet was to show that the duty of the Opposition was to oppose the Bill of the Government, to support the Instruction which was to have been moved by the hon. and learned Member for Exeter, and it pointed out, as one of the great evils of the Government Bill, the fact that it would establish in the twenty-nine boroughs referred to household suffrage. Hon. Gentlemen opposite did not seem quite agreed in their reasons for supporting the Amendment, for one hon. Gentleman declared that it was good only in part, and another alluded to the case of the boroughs in question as a reason for disapproving of the Bill. In fact, those who supported the Amendment did not seem to be at all united as to its merits and effect, and it appeared to be a crafty contrivance for uniting those who could only unite in defeating the Bill, and who could not agree among themselves as to what kind of measure ought to be carried. The hon. Gentleman then used an argument which they had heard before in the course of this debate, of the evils that would be inflicted upon the compound-householders, and talked of a fine being exacted from them. Now, whatever might be the merit of that expression of a fine, he believed the right hon. Gentleman the Member for South Lancashire had the credit of it. They had heard it so often that he would like to examine it a little. The proposition of the Government was this, that any compound-householder who wished to obtain the franchise might give notice to the overseer that he wished to have his name placed on the rate book and to pay his rates, might pay the full amount of the rates of the borough, and would thus get upon the register. They were told that this was a fine. But had hon. Members opposite considered the effect of the Amendment on this subject which had been placed upon the paper by his right hon. Friend the Chancellor of the Exchequer? Subsection 5 provided—

> "The overseers on the receipt of the claim and on the payment of the rate, if any then due, shall make an entry in the rate book declaring the liability of the occupier to be rated and pay rates in respect of such house, and such occupier shall be liable accordingly, and the overseers shall give notice to the owner that the occupier has so claimed as aforesaid, and thenceforth the owner shall be discharged from his liability to be rated or pay any rate in respect of such house until the occupier makes default in payment of such rate, as hereinafter mentioned."

Now, he asked any plain, practical man to say what would be the result of that arrangement. The compound-householder intimated that he wished to pay his rates, and the owner was discharged from his liability. From that moment the occupier ceased to be a compound-householder. The rent would be re-adjusted to meet the altered circumstances of the case, and as to the fine, it only existed in the imagination of the right hon. Gentleman, and those who thought him infallible in matters of rating. Practical men would tell hon. Gentlemen opposite that as soon as the occupier was rated and was liable to pay rates in respect of his house he would go to his landlord, would arrange upon new terms as to rent, and would pay a rate for the future like any other person. [*A laugh.*] He observed that a right hon. Gentleman from Ireland was exceedingly amused at this proposition; but he believed he was as well acquainted with the transactions between landlord and tenant in England as the right hon. Gentleman, and he must remember that this was an English Bill. When they came to the discussion of the Irish Bill no doubt the right hon. Gentleman would give them the benefit of his information. It was said that the compound-householder did not now pay the full rate. He (Mr. Hunt) thought he did—he paid it in his rent. ["Hear, hear!"] Well, he was glad that hon. Members opposite agreed with him in that respect. He believed that under the Small Tenements Act the landlord was allowed 25 per cent off the amount of the rates. But he invariably took care to charge in his rent the full amount of the rates, the deductions being allowed him partly for the expenses of the collection, and partly to meet bad debts. But the compound-householder really paid the full rate, and if he were allowed to deduct the full amount of the rate from his rent the right hon. Gentleman's fanciful supposition that there was a fine in the case could not be entertained for an instant. And if there were any inconvenience, he maintained that, after the first quarter's payment of rates, the question of reduction would wholly cease, because the old arrangement that the landlord should pay the rates would be substituted by a new one that these should be paid by the tenant. So that the question of a fine in the case was, for practical purposes, not worth considering. When hon. Members opposite complained that the Government proposal placed the compound-householder in an unfair position, they had not considered the difference between that proposal and the existing Act relating to compound-householders. That Act said that they might claim to be rated, and might vote accordingly; but there was no provision, as in Sub-section 5 of this Bill, to discharge the landlord from his liability. The hon. Gentleman had also alluded to the difference which this Bill enacted as to residence between the £10 householder and those who came in under the new franchise. It was, however, a mistake to suppose that the proposition of the Government was one of the same sort as the Act of 1832. The Act of 1832 established a rental franchise, with conditions as to the payment of rates and residence. But the new franchise given under this Bill was not a rental franchise, but a ratepaying residential household suffrage, with a longer term of residence. Was there anything unreasonable in that? It was well known that the population below £10 rental was of a more migratory character than those above. The right hon. Gentleman opposite said that artizans must follow their work, and that it was oppressive to them to exact a long term of residence when the necessities of their position obliged them frequently to move. He admitted there was some force in that. But then it was always understood that a borough constituency had a character, a position, and interests of its own; and, he asked, would they allow the permanent inhabitants of a town, who were knit together by a common bond and united by traditions that had been preserved in the town from time immemorial, to be swamped or overborne by a migratory class who had been brought into the town by some accidental circumstance, and might leave it as suddenly. Notwithstanding what the hon. Gentleman had said, he was still of opinion that the provision of a two years' residence was good in itself, and highly valued by the existing borough constituencies. It was to be remembered that there was a great migration going on from town to town in consequence of strikes and other causes. Some towns had grown more rapidly in one year than they used to grow in half a century, and the old and permanent inhabitants would naturally dislike to be swamped by the new arrivals. Then it was said that the constituencies ought not to be left at the mercy of vestries. If the hon. Gentleman opposite thought there was any risk of voters being excluded by the caprice or the political feeling of vestries, it was open to him to introduce a clause that would prevent the evil, but that was no reason for his voting with the right hon. Member for South Lancashire. He was puzzled by the conduct of those who professed to be sincere Reformers and to wish to see the question settled during the existing Session—and yet who opposed the Government Bill. But he must now turn to another class of speakers, to some Gentlemen who—he could hardly say that they advocated the scheme of the right hon. Gentleman, but who expressed their intention of voting for it. Their course he could easily understand. Foremost among them was his noble Friend the Member for Cranbourne. [*Laughter.*] The name of his noble Friend was so much more illustrious than that of his constituency, that he was often tempted to express the one when he was thinking of the other. But what was the object of the noble Lord the Member for Stamford in voting for the Amendment, as the noble Lord left the Government, of which he was so bright an ornament, because he thought their Bill too democratic? He was, however, going to vote for the Amendment of the right hon. Gentleman, which took off one of the restrictions. The Amendment was to the effect that persons might have a vote, whether rated personally or not. In the view of the hon. Members on the other side of the House who had spoken on the Amendment, personal rating was a restriction upon the voter obtaining the franchise, and yet his noble Friend the Member for Stamford was going to support the Amendment for taking away the restriction; and that, too, although the Bill was too democratic for him with the restriction. They had not been told how the right hon. Gentleman the Member for Calne was going to vote; but he ventured to predict that, clear-sighted as the right hon. Gentleman was, he would be found in the same lobby as the noble Member for Stamford. He believed that upon this point both these Gentlemen were thoroughly in accord. They had a distinct object in view, and if the Amendment were successful they would gain that object. Who, let him ask, were the most powerful assailants of the Bill of last year? After the right hon. Member for Calne it would be admitted that the noble Member for Stamford had been the most vigorous. His noble Friend was one of those who objected to all Reform. He saw in this Amendment an opportunity of defeating the Bill, and of getting rid of the question of Reform at all events for this year. He said, in effect, "We shall gain a year, and we do not know what may come next. A European war may break out, and we shall at least gain a year's reprieve from the question of Reform." That was the intention and object of the noble Lord in voting for the Amendment. His noble Friend, with all his acuteness and great power of mind, had never understood the people of this country. The notion of his noble Friend, as well as of the right hon. Member for Calne, was, that Parliament should govern for the people, and both those hon. Members objected to the doctrine that Parliament should govern by and with the people. His noble Friend's experience had not at all served to dispel this idea. He (Mr. Hunt) had often wished that his noble Friend, instead of taking refuge in the limited sphere which was so justly proud of returning him as its representative, should, if only for one election, cast himself upon some large constituency, either county or borough. He would then find that an immense number of those whom he wished to exclude from the franchise had thoughts working in their brains little dreamed of by those who in the pride of their intellect looked down upon the struggling sons of toil. He (Mr. Hunt) believed that the people of this country, as soon as they got beyond the difficult point of earning bread for themselves and their families—as soon as they began to rise to a higher position and were able to earn more than was necessary to satisfy the mere wants which we shared in common with the brute creation, their first idea was to give their children a better education than they themselves had received. Their next desire was to take part in the management of local affairs. They then rose further; and as their reading extended and means improved, the more intelligent became sincerely desirous of having a share, through representatives, in the government of the country. This was a consideration which had not yet penetrated the brain of his noble Friend; nor had the Member for Calne ever realized it. He (Mr. Hunt) believed, on the other hand, that Her Majesty's Government had realized it. The Bill was an honest attempt to give an opportunity of admitting to the franchise all those who showed by their acts and conduct that they were in the position of being independent, and who showed, moreover, that they were desirous of obtaining political power. The House was told that the Government measure was a monstrous proposal. They were told that it would be much better to have a certain limit of rental, by means of which a certain number would be admitted to the franchise, and what the hon. Member for Birmingham called the "residuum" would be kept out. The Government had, however, gone upon a better and a wiser principle. They said, "We wish to recognise the claim of many who are now excluded, and to allow them to take part in our political affairs. We do not ask what is the rent they pay for their houses. Rent varies in different places, according to the circumstances of the place. A man who lives in a £10 house in one town may be no better in point of position and intelligence, or may be no more likely to use the franchise well, than a man who lives in a £4 or £5 house in another place. In the metropolis, for instance, a £5 franchise would hardly add a man to the electoral roll. We do not therefore ask you what rent you pay; but we ask, are you willing to take upon yourself the ordinary burdens of citizenship? Are you a man to be trusted for fulfilling the obligations which you have accepted? or are you one of the thriftless class who are so uncertain and so unpunctual that you cannot be trusted, and who are obliged to fall back upon the landlord to pay your rates when they are demanded? If you give security by having resided a sufficient time in the town where you claim to be a voter; if you have an interest in that place, and are not there to-day and away to-morrow; if, in fact, you have a settled residence, then we shall give you the franchise." He thought that was a better and more popular principle to proceed upon than to fix a £5 or any other limit. The great mistake of the Reform Act of 1832 was that it drew a hard and sharp line at £10 which excluded all below it; and the right hon. Member for South Lancashire now proposed to commit a similar mistake by drawing another sharp line at £5. Would the agitation that now existed not be renewed in that case? Most undoubtedly it would; and they would not arrive at any settlement of the question. Some might say, "Very true; but we have postponed the question for at least the term of our natural lives." But were they merely to think of getting rid of the trouble and annoyance for themselves, and care nothing for posterity? No one could deny that the agitation which had taken place had been a great calamity to the country. Beneficial measures had been postponed, and friendships had been severed in consequence of that agitation. Years had been wasted in struggling about this question. He maintained, therefore, that they should make an attempt to settle it upon an enduring basis. The proposal of the Government was of such a character. It drew no hard, sharp line. It said that whatever was the amount of rent paid by a man, if he showed that he was sincerely desirous of obtaining the franchise and undertaking the duties of citizenship, he would receive a vote. That was a measure which ought to commend itself to the House and to the country; and he trusted that the Government would be supported in resisting the Amendment which, though it might catch a few votes that would not be given to the right hon. Gentleman's othr Amendments, was utterly inconsistent with the whole principle of the Bill. Those who voted for the Amendment ought in consistency to have voted against the second reading of the Bill.

Mr. LOCKE said, he would not plunge into the difficult question of the compound-householders, as he thought that subject had been pretty nearly exhausted. He would rather address himself to a matter which very nearly concerned himself, and it was with regard to the course he took when he attended the meeting at the house of the right hon. Gentleman the Member for South Lancashire. The meeting was very large, and the right hon. Gentleman made a statement concerning the course he was about to pursue, and read an Instruction which he (Mr. Locke) thought a very injudicious one. He thought those meetings ought to be private. They were held, it was supposed, to enable hon. Members by quiet discussion to arrive at some course which the party should pursue; and if they were not considered private, they must be productive of inconvenience, and it would be better to arrange matters by letter from the right hon. Gentleman who was at the head of the party. What he said on that occasion he said most conscientiously—that he believed the course suggested was not the right one, inasmuch as it would place the Liberal party in a false position. The Instruction was extremely objectionable, because it prescribed a given line which nobody could understand, but which, whatever it meant, was clearly an indication that the suffrage should not be extended so far as the Bill of the Government proposed to extend it. Now, he thought it was not good tactics for the Liberal party to declare that they could not go so far in enfranchising the people as a Conservative Government. Therefore, he objected to the Instruction. They had heard a great deal from the hon. Member for Nottingham and others about Members not following their Leaders; that was a charge which the hon. Member for Nottingham at least had no right to make. [Mr. Osborne: I never said a word about it.] He (Mr. Locke) knew pretty well what the hon. Member thought, and what he meant. He complained of the forty-eight Members who met in the tea-room. What right had the hon. Member for Nottingham to complain of that? They met in an open and straightforward manner. They did not do, as the hon. Gentleman had done to-night, charging hon. Gentlemen with making communications one to another which they clearly had a perfect right to do if they chose. The hon. Member for Nottingham had no business to charge those who met in the tea-room. They met openly; any one who chose might enter for the purpose of taking into consideration whether or not the Instruction which the right hon. Gentleman the Member for South Lancashire intended to submit to the House was a judicious one. That was the sole question which those Gentlemen met to consider, and they did consider it. There were fifty-two Members present, and he believed, with the exception of four, they all agreed that the course suggested was not a judicious one. Several Gentlemen who were present, and he among the number, were deputed to wait on the right hon. Gentleman the Member for South Lancashire. They expressed to him their views; they said they thought it an injudicious course, and the right hon. Gentleman finally coincided in the opinion they expressed. [Mr. GLADSTONE here made some indication of dissent.] If the right hon. Gentleman did not he was clearly wrong. He was quite satisfied of this—the right hon. Gentleman could not, in moving that Instruction, have presented to the House so taking a proposition as he had done last night when limiting his proposition to what, he presumed, most Liberal Members must agree to—namely, the principle that personal payment of rates should not be compulsory, and that it should be sufficient that either the landlord or tenant should be rated. In suggesting the withdrawal of the Instruction he thought, therefore, that he had done the right hon. Gentleman a great service; and he intended to do him service still, if he were allowed. But he must say he objected very much to be taunted for the course he thought it his duty to pursue. He defied the hon. Member to say that any one had ever pursued a more straightforward course as a party man than he had. He defied any one to say that upon any question he had ever played fast and loose; and he believed the forty-eight men who acted with him were equally honest and above-board. He took great credit to himself for what he had done. The result was that this Bill had been brought into Committee; and the most dangerous course that could be taken was to have excluded the Bill from going into Committee. He recollected the course taken in 1859, when a Resolution was moved by Lord John Russell on the second reading of the Bill brought in by the Conservative Government. Although that Resolution was perfectly plain, stating that no measure of Reform could be satisfactory which did not lower the borough franchise, still, what had been the charge against the Liberal party ever since? It had been reiterated by the Conservatives over and over again that had their Bill been allowed to go into Committee they would have been prepared to make any amendments that might be required. Now, he was anxious to test them on the present occasion, and see what they would do. Like his hon. Friend the Member for Bradford, he was in favour of household suffrage pure and simple. He preferred it to a £5 rating, although he thought the right hon. Member for South Lancashire was right in his Amendment at present under discussion, and he intended to vote with him; and if this Amendment were carried, he did not see why it should not be applied to household suffrage. Why should it not be applied to the Bill of the Government as well as to the subsequent propositions of the right hon. Gentleman (Mr. Gladstone)? The proposition with respect to personal rating had been very much misunderstood. He did not understand that it was absolutely necessary that the occupier of a house should himself pay the rate, but that he should be the person liable to pay the rate —he must be on the rate book, and liable to pay the rate. Various Acts, including the Small Tenements Act and local Acts, interfered very much with the putting of the occupier's name on the rate book. What, therefore, he would suggest to the Government was this—if the Amendment was carried they should consider it sufficient to have either the owner or tenant rated. He saw no reason why the Amendment, if carried, should be fatal to the Bill. It was perfectly immaterial whether the tenant, being a compounder, paid his rate actually in money to the overseer or through his landlord—in either case he was a substantial person. He therefore thought the right hon. Gentleman's proposal was perfectly right, and he should give it his support. At the same time, he did not bind himself to support any other Amendment of which notice had been given by the right hon. Gentleman. He did not see why the Amendment of the right hon. Gentleman the Member for South Lancashire, if carried, should be fatal to the Bill; and he earnestly called upon the right hon. Gentlemen who sat upon the Treasury Bench, if they happened to be in a minority that night, to re-consider their determination to make this question a vital one, and to recollect that there was a very strong party who sat on the Opposition side of the House who advocated household suffrage. But did hon. Gentlemen think that the mere fact of the landlord paying the rate made the occupier a less substantial person, and therefore less fitted to exercise the franchise? Turning to the question of household suffrage, he must say that the phrase sounded pleasantly to his ears, and on every possible occasion since he had sat in that House he had endeavoured, as harmoniously as he could, to instil that principle into the ears of his constituents. He had found great difficulty in doing so, and his struggles against manhood suffrage had been both continuous and severe. Not having the talent or the power possessed by the hon. Member for Birmingham of going about the country and mixing himself up with manhood suffrage, and of then, by some extraordinary process of reasoning, detaching himself from it, he had merely been able to tell his constituents in a vulgar common-place way that he preferred household suffrage to manhood suffrage. The Government had brought in a Bill for household suffrage, and the hon. Member for Bradford (Mr. W. E. Forster), who professed to be in favour of household suffrage pure and simple, and told the House that he should vote in favour of the right hon. Gentleman's Amendment, had said nothing about what course he should take with regard to the £5 rating proposition.

Mr. W. E. FORSTER said, he should vote against that proposition.

Mr. LOCKE said, that under those circumstances they should find themselves in delightful company, and he could only hope that the hon. Gentleman would be no backslider. Taking into consideration the number of hon. Members, especially from the North of England, who had spent their lives in advocating household suffrage, he might say to the right hon. Gentlemen on the Treasury Bench that if they would only be firm, staunch, and true to their colours, they might have household suffrage yet. The evening had been commenced in a rather unpleasant sort of way, crimination and re-crimination having been bandied about on every side; but he trusted that when the Liberal party came to do their duty at the end of the evening they would be found to be a happy and united family; but whatever might be the result of that division, he hoped that both sides of the House would keep the Bill in view, and would do their best to make it the law of the land during the present Session.

Mr. LIDDELL said, he was anxious to state the reasons which would induce him to vote against the Amendment proposed by the right hon. Gentleman the Member for South Lancashire; and he was the more anxious to do so, because sounds and observations from his own side had reached his ears during the course of the debate which had almost convinced him that he was sitting on the Opposition side of the House. It was, no doubt, a very convenient line for the friends of the right hon. Gentleman to pursue to take these Amendments separately, but he must regard them as one. He thought that the one they had now to deal with was a very inconsistent Amendment. The beginning differed from the end, and the Amendment contained two things very widely distinct; it meant indiscriminate admission, and arbitrary tyrannical exclusion. He wanted to adopt a winnowing system, provided that the process were simple, easy, and straightforward. He did not think that it would be complimentary to say to any class, however deserving of the vote, "We will shovel you into the electoral body in a mass;" and he was taking that line as much in the interest of those excluded as those admitted. He wished to admit the working classes, and to admit them in a complimentary manner. It was not complimentary to admit them all by one door. His hon. Friend the Member for Tralee (The O'Donoghue) said he wanted to make the road to the polling-booth wide and smooth. But he (Mr. Liddell) objected to the hon. Member's way of doing this. It was not complimentary and not just to say that the suffrage should be conferred whether or not any sacrifice were made to obtain it. He now came to the other part of the Amendment, that which related to tyrannical exclusion. He would be no party to excluding any man, however poor and humble, from the vote, who proved himself worthy of it, by making sacrifices to obtain it. For these reasons he should vote against the Amendment—because he thought it was inconsistent with itself, and because he thought the principles involved were highly objectionable. A great deal had been said about the inconsistency of hon. Gentlemen; but to his mind they had shown a wonderful consistency in their conduct. For instance, the right hon. Gentleman the Member for South Lancashire had been very consistent in courting defeat upon the same point on which he had sustained it last year. The right hon. Gentleman was then defeated when he stood in a much more favourable position than he did at the present moment. The House of Commons then decided by a majority—a small majority, perhaps, but still a majority—in the fullest House that had ever been known, in favour of a rating franchise. The Government, therefore, were perfectly justified in adopting that franchise as the basis of their

Bill. They had another example of consistency in the speech of his noble Friend the Member for Stamford (Viscount Cranbourne); he was consistent in his distrust of his fellow-men, and he did not confine that distrust to the lower classes; but he had manifested it towards his late, his very recent Colleagues. That was a species of consistency for which he (Mr. Liddell) had very little admiration. He heard a speech last night which well deserved the palm that should be awarded to consistency, that of the right hon. Gentleman the Member for Oxfordshire (Mr. Henley). His right hon. Friend was consistent, and in the course he should pursue upon this question he should take that right hon. Gentleman as his leader. That right hon. Gentleman had said eight years ago that, if the franchise was to be altered at all, the only resting-place would be household suffrage. He had been consistent also on another point. He had always been kind and considerate in speaking of the working classes, and he had been so because he knew something about them. People who know the working classes could appreciate and trust them, and it was by distrust of the working classes that many persons had earned the title of *psuedo*-Reformers. He had himself never been eager to see a measure of Reform introduced; but he had always felt that when such a measure was undertaken it must be undertaken generously, and that there must be a large extension of the suffrage. He had no fear whatever of the result, provided the extension of the suffrage was given by means of a discriminatory process. In the proposition of the Government there was neither insult, nor falseness, nor humbug. It was said plainly to the working classes, "If you will undertake the duties of citizenship; if you will take pains to have a vote, you shall have it." He approved of this system in preference to the proposal of the right hon. Gentleman (Mr. Gladstone), which was more complicated and less distinct. But it was said that one injurious effect of the passing of the Bill would be that the electioneering agent would be called into play in times of excitement, and that, through his agency, a large mass of new voters would be placed on the register. He should, however, like to ask whether the registration agent was not now employed. He knew of one great Liberal agent who had been instrumental in putting on the register 17,000 voters as things at present stood; and one reason why he should vote for the Bill of the Government was because he should like to see the voter place himself on the register, instead of waiting for the interference of such a person. Besides, a little political excitement was a very good thing. The same Liberal electioneering agent had stated that one of the worst features of the present state of things was that there was so much apathy and indifference among the wealthy classes in reference to politics; but he (Mr. Liddell) thought that if the working classes were induced to claim the franchise under this Bill a little wholesome pressure would be put upon the upper classes, who would, however, he believed, find their legitimate influence in no degree diminished by this Bill. He believed that intelligence, and education, and even wealth, when properly expended, would always command respect in this country, among the working classes. He derived this confidence from living among, seeing, and knowing what the working classes were, and also knowing the progress they had made. He did not do them the injustice to suppose that they were all Radicals; and, indeed, there never was a more preposterous idea. The question, however, was frequently argued as if the working men would swamp the existing constituencies, which meant that they would override them and take a different line of action in all public questions. There were, however, a variety of views among the working class, and, he believed, that there was among them a strong Conservative feeling, and an attachment to the institutions and the Church of the country. Such, as he stated, were among others the reasons which induced him to give his hearty support to the Bill. But before he sat down he would congratulate hon. Members opposite upon the accession to their ranks from the Ministerial side of the House; though he must say that he thought that hon. Gentlemen opposite who sat below the gangway would be acute and sagacious enough to estimate at its true value the allegiance of these last new converts to the policy of the right hon. Gentleman (Mr. Gladstone).

Mr. GILPIN said, that the hon. Gentleman who had just sat down had expressed a hope that Members at the Opposition side of the House would estimate at their true value the converts from his side of the House; and he (Mr. Gilpin) hoped that the hon. Gentleman would estimate at their true value the converts which they would themselves have among their ranks. The hon. Gentleman spoke as if he had just ascertained that the working classes had among them men of various opinions, but did the wildest Radical ever suppose that in extending the franchise all the new voters would be of their own side in politics? The hon. Member said he objected to the Amendment because it was either a plan for an indiscriminate admission to the franchise or for arbitrary exclusion; and he (Mr. Gilpin) supported the Amendment because he believed it was neither one nor the other. He wished to call attention to the fact that they were not then upon the £5 rental, nor on the question of two years' residence, but upon the question whether personal rating should be a necessity for a man having a vote. On that ground, and that ground only, the division would be taken, and in joining his friends around him in going into the lobby with the right hon. Gentleman (Mr. Gladstone) he pledged himself to that, and to nothing more. When they talked of the working man making a sacrifice to obtain the vote, why should they ask the working man to do that which they did not do themselves? The working man was to take the trouble to put himself upon the rate book, whilst members of other classes were put upon the rate book without taking any trouble. Working men's houses were under a compound-rating, not for his own convenience, not even for the convenience of his landlord always, but for the convenience of the tax-gatherer; and why should such people not be enfranchised, when they, in fact, paid rates, but paid them through their landlords? Nothing short of such a suffrage as was proposed by the Amendment would give satisfaction to the country. The hon. Gentleman said, "We have trust in the working classes." If, in saying that, the hon. Member spoke for his party, he (Mr. Gilpin) congratulated that party on having at last confidence in the working classes. The hon. Member for Bradford (Mr. W. E. Forster) had made that evening one of the ablest speeches he had ever heard pronounced upon this question. The Secretary for the Treasury (Mr. Hunt), in endeavouring to reply to it, said he was puzzled to know the principles of the hon. Gentleman. It appeared to him (Mr. Gilpin), that the hon. Secretary for the Treasury must have felt himself very much puzzled to understand what the principles were which translated him to the Ministerial Bench. If the principles of the hon. Gentleman in any way resembled his present description of them, they were very different from those which the hon. Gentleman held in times past. He (Mr. Gilpin) opposed this Bill because it was not one for household suffrage. It pretended to be such, but it surrounded its household suffrage with such guards and difficulties that it could not be properly considered as a household suffrage Bill. He was in favour of household suffrage, and had been so when hon. Gentlemen on the opposite Benches were opposed to the extension of the suffrage at all. Now, there was no man in that House he would be more disposed to follow upon general questions than the right hon. Gentleman the Member for Oxfordshire (Mr. Henley). When that right hon. Gentleman was a Member of a former Government, the question of Reform was debated, and the result of the decision of the Cabinet was that he was jerked from his position on the Treasury Bench to one of the back Benches. In supporting the proposition of the right hon. Gentleman the Member for South Lancashire, he must express a hope that in the event of its being carried the Government would not be induced to drop the Bill. He was quite certain that the Government would find many hon. Members on his side of the House who though going into the lobby with the late Chancellor of the Exchequer upon this particular question would not be inclined to support those other Amendments of the right hon. Gentleman, which, judging from the arguments of hon. Gentlemen opposite, were viewed by them as raising the great objection to the Amendments as a whole. If necessary he was prepared to go to the country upon the principle of personal payment of rates. He should be prepared to support the Amendment of the hon. Member for Stroud (Mr. P. Scrope) at the proper time, because it went to establish the principle that taxation and representation should be co-extensive. The Committee would recollect how emphatic the Chancellor of the Exchequer was in his replies to what had been said from the opposite side of the House. The answers of the right hon. Gentleman were almost invariably to the effect that all such questions were, properly, questions for the Committee, so that the right hon. Gentleman had led the House to believe that when the House got into Committee upon this Bill he should be prepared practically to assent to the decisions of such Committee. The Chancellor of the Exchequer further told them that Reform was not a question to decide the fate of the Government, or that should be taken up in reference to the distinctions of party. He (Mr. Gilpin) should be glad to believe that the right hon. Gentleman would take the division to-night, then, as the opinion of the House upon the principle of Reform, and that he would adapt the principle of his Bill to that endorsed by the opinion of the majority of that House. He (Mr. Gilpin) had taken his part in public meetings out of the House. He reckoned himself as a working man amongst working men, but he should be glad to see, for the term of his natural life, this question settled—he should wish to see it settled in the present Session; nay, more, he should wish to see it settled by the present Government. If they were sent back to their constituents without a real, practical, workable extension of the franchise, they would bring upon themselves what they should well deserve—the condemnation of their constituents and of the whole country.

Mr. CORRANCE: It is with a feeling of some reluctance that I rise to address the House. I cannot but be aware of the fact that there are many whose opinions upon a subject such as this must command greater weight than my own. I shall beg to offer a few observations, within such limits as may deserve the indulgence of the House. It may be deemed by some no mean advantage that I am able to do so, free from the inconveniences which cannot fail to accompany those who have in public life, and for a longer period, followed the veering currents of Reform. I will use no reserve, but frankly avow the sentiments I have for some time past consistently held. It is as a Reformer that I speak, not of to-day alone, nor from present circumstances only, but from conviction; of what? Well, at this early date after my entrance into this House, I am not anxious to enter into questions antagonistic to the opinions which are held by Members on the opposite side; but this much I must frankly state, that I am not led to such a conclusion by my satisfaction at the policy of past years, either domestic or foreign, or my acquiescence in the doctrine of *laissez faire* or its results. It is my opinion that we have but little cause for satisfaction, and hence many evils which have arisen at this time—and hence discontent. It seems to me that out of this has grown this demand for Reform, and the situation which exists. In this situation I see many features of a well-known type, and some actors not unknown. It recals to me the year 1848. During that year I was a witness to those scenes of trouble and confusion in Paris, Vienna, and Berlin, where European civilization became a laughing-stock to itself. And why do I recal these inauspicious memories of the past? It is because I believe that if we are to escape such evils here, it must be through the wisdom, the prudence, and the moderation of Parliament itself. When we entered into this question, at the commencement of this year, it was under the happiest auspices, and as men fully impressed with the gravity of their task. To a great necessity personal ambition was, for a time, to give place, and party feeling to sage counsels and disinterested advice. Opportunities occurred, mistakes were made, no doubt, but the Whig party refused to take advantage of them. The pledge was a tacit one; but let me say this — that by that great party opposite never was a pledge better kept. There were not wanting those who would have urged them on. It was not Achilles, but his myrmidons who rested in their tents. If there were murmurs, they arose on the other side: perhaps, not altogether without reason, for one after another reservations to which, rightly or wrongly, they attached much importance, were given up. In such self-sacrifice they were not wanting on their side — sacrifices made to the wills and wishes of this House, and in deference to the opinion expressed does that party deserve no consideration in this respect? What is the issue now raised to which all this must give place? Let us inquire into this. It will not fail to have struck this House that the main feature in this franchise is its entire dependence upon rates. In fact, the rate book is to be the register of the future, and its settlement becomes the principal point—into that present condition let us now inquire. Now, in almost all the arguments I have heard hitherto, it seems to be assumed that the conditions of the future are to be those which at present exist. Anomalies are pointed out, and difficulties arising from this source. But why so in this case? Why the very Instructions with which we enter Committee gives us at least the power to deal with this. What was that part of the Motion made by the hon. and learned Member for Exeter the other night, but to this very effect — that we might produce uniformity in this respect? And if we wish to proceed upon any consequential plan, is it not clearly the first task this Committee must undertake? Now, there are two ways in which we might effect this as regard the compound franchise. We might abolish composition, or equalize it throughout. To the former plan I do not assent; I do not agree in this respect with the opinion expressed last night. I think that this composition is, in many places, a great advantage to a township; and it is justly esteemed a boon to the labouring class, as giving encouragement to building houses of a certain class. We are told that formerly more were exempt, and that it prevents exemption; but the fact is that at present there is less necessity for this. It is far more important that it should encourage building better houses, and thus, by increasing the supply, to equalize and lower rents without injury or loss to landlords. Well, practically, this is well known, and the benefits esteemed at their full worth; and I do not think a more unpopular measure could be devised than to abolish the compound rate. The other alternative is to make it compulsory within Parliamentary boroughs, at a certain rate. Supposing this arrangement carried out we shall then have but two classes of voters to deal with at uniform rates—those who are compounded for, and those who are not. Now, as regards the former, let me frankly admit that I do not think that for the purpose of enfranchisement, you can demand from such a one more than the compound rate. For whose benefit is the composition made? For the landlord, and the municipality with which he treats. He undertakes to make a fixed payment at a certain rate, and this rate should cover certain losses and risks. If the percentage is too high, then the landlord benefits, of course; if set too low, he will not accept, and hence, what the right hon. Member for South Lancashire has told us concerning the rejection of the Act there are many of my opinion as to this on this side of the House, and I did hope, and still do hope, that we should have received satisfactory assurance that the Government would not consider this question of the excess of compound rate a vital point. I trust that we may do so before the end of this debate—it will relieve many of a difficulty in this case. But the right hon. Member for South Lancashire has gone beyond this. He tells us that the compound-householder, as occupier, desires no benefit, even indirect. I must join issue on this point. He says that the law of political economy justifies this view. This I cannot admit, when, by a landlord, certain immunities are enjoyed—from loss or risk—the law of competition will oblige him to let his house for less. Take certain houses subject to such risk and loss, and certain houses which are not, and the remission will tell upon the rent so also with the rate. The advantage is then indirect, and may not justify a tax, but it is real and substantial nevertheless. I press this point because when we come to the question of residence its importance will be seen. And now what is the proposition of the right hon. Gentleman in this Amendment. It is this—he disqualifies all below a certain class. Why does he do this? Is wealth the base upon which a settlement is to be obtained, or is it that we here touch the venal point? It would seem so in his opinion at least. But what a falling off is here. Does this come consistently from his lips? How reconcile it with the metaphysical politics of the past with the doctrine which embraced mankind. And now, observe this, he excludes flesh and blood, but he includes bricks and mortar of any class. All tenements above a certain value can give the franchise inhabited or not. Warehouses, and other hereditaments of that class, but the £4 man is not so good as the £5 house. The right hon. Member is also afraid of corruption. He sees the hand of the electioneering agent in this case, and in this fear the hon. Member for Bradford partakes. Is 20*s.* the test of purity in this case? Are hon. Members then converted to the opinion that if you seek ignorance, if you seek venality, you will find it among this class? At least let me say this, that you will find no trace of such a test in the Government Bill. It assumes no such disqualification as the unvarying characteristics of a class. If this House seeks self-purification sincerely, and in earnest, it can get it at a cheaper rate, and by means more just than by the disqualification of a class. I do not hesitate to say that, as an alternative, I should even prefer that tremendous adjuration suggested to us by an hon. and learned Member. But we are told that other hardships exist, and great fears are almost uniformly entertained of the conduct of parish officers in this case. To go to the parish overseer is a hardship of the gravest class. When I heard the description given of these functionaries upon a recent occasion, I thought so myself. Painted, I might say illuminated, by the genius of the right hon Gentleman, I was deeply impressed, and I thought of Charles Dickens, I thought of Mr. Bumble, and I recollected Oliver Twist. But this was the work of a great artist, not the simple subject, and, as its effect passed off, I could not but remember that such parish officers are not the tools of Toryism, but the intelligent, the humble administrators of recent Whig Acts. And now, finally, it is between these two measures we must choose. It does not leave me one instant in doubt, and let the House remember that upon its decision depends more than this. It is not the fate of a clause, not of a Bill, nor even of a Ministry, which is at stake. It may well be that of the nation itself. If the progress of this Bill is stopped, so is the progress of Reform. To-night we shall better judge who are the sincere Reformers and who are not. I accept this measure as a great and necessary act, without which you can have neither stability nor strength. Reverting to former times, and quoting the words of a great Englishman, I say of this system, as he said of that—

> "That in such a system, and under circumstances which exist, you will have neither the security of a free Government, nor the energy of an absolute monarchy: neither that political force which is drawn from the concentrated vigour of a single and indomitable Bill; nor the tidal influence of a great and united people."

Mr. COWEN said, that if the hon. Gentleman who had just sat down and those who sat beside him were to advertise themselves before the country as Reformers for sale, they might depend upon it they would realize a very low price. He had himself been a household franchise man all his life, and became a Radical Reformer nearly fifty years ago, and nothing in his experience of the movement surprised him more than to find the hon. Member for Northumberland (Mr. Liddell) advocating household franchise, which he (Mr. Cowen) advocated before the hon. Gentleman was born. He cordially agreed with the speech of the hon. Member for Bradford (Mr. Forster), which would be read with interest throughout the country. He had had considerable practical experience of questions connected with local taxation, and was especially conversant with the working of the Small Tenements Act. The hon. and learned Gentleman challenged anybody to contradict his figures, and did as much to mystify the matter as any one who had gone before him. The point they were there to decide on that occasion was that of personal rating, and the Small Tenements Act seemed to him the bugbear in the way of the settlement of that point. Under the Small Tenements Act all houses up to £6 were charged at three-fourths of the full rate; but on the landlord intimating his willingness to pay the rates, whether the houses were occupied or not, he could be rated at one-half. Suppose a rateable value of £6. The average amount of rates was 4*s.* in the pound. Then the rates amounted to 24*s.* a year; but the tenant paid rent covering the rate, and if he made himself a voter by claiming to be rated and paying the 24*s.* there would be a loss of 12*s.* a year, which was a fine on the tenant for obtaining his vote of the difference between the full and the compound rate. He had always advocated household suffrage, and he would support the Government Bill, if it would establish household suffrage; but it would not do so. The Bill was a deception, a Bill to mislead, a Bill to create mischief, and which, if passed in its present shape, would afford the best basis possible for future agitation. For these reasons he should support the Amendment of the right hon. Gentleman the Member for South Lancashire, though by no means approving all the Amendments he had put upon the paper. The hon. and learned Member for Sheffield asked how the Small Tenements Act could produce mischief. He was guilty of no exaggeration when he said that he had known more than one instance in which, under a system analogous to that which the present Bill proposed to render general, a single man would have had it in his power to enfranchise or to disfranchise the inhabitants of two or three parishes all at once. He had no fear of the working men; on the contrary, he hoped to see them admitted to the franchise with no grudging hand. He believed, however, that the Government Bill would disfranchise to a large extent; and that no one knew this better than the Chancellor of the Exchequer and the noble Lord the late Secretary of State for India.

MR. DALGLISH said, he felt himself placed in rather a false position. Last week notice had been given of a certain Instruction, which was no sooner seen by Members of the House than a certain number of them assembled at what had been called the "tea-room meeting," and determined that it could not be supported. From that meeting a deputation was sent to the Leader of the Liberal party, it being considered only courtesy to inform him of the resolve of a portion of his followers. The result was that on Monday evening, at the instance of the hon. Member for Southwark, a portion of the Instruction was left out, and the House went into Committee. But on Monday evening notice was given of an Amendment which embraced all the points that had been embodied in the Instruction. A fresh difficulty then arose. A great portion of those who had attended the tea-room meeting agreed that they could not support that Amendment. It was, accordingly, withdrawn; and now a further Amendment had been submitted to them.

MR. GLADSTONE: The Amendment was not withdrawn.

MR. DALGLISH begged the right hon. Gentleman's pardon. Notice had certainly been given of the Amendment in his name.

MR. GLADSTONE repeated that no Amendments had been withdrawn.

MR. DALGLISH: At all events, notice had been given of the Amendment, and there was no such Amendment standing in the name of the right hon. Gentleman now. No alteration was made in the facts by this dispute about words. A third Amendment had now been submitted in the name of the right hon. Gentleman, and it was the Amendment which the Committee were now discussing. He cordially agreed with this last Amendment of the right hon. Gentleman. He was an advocate for household suffrage, and should like to carry the principle as far as he possibly could. But, at the same time, he was interested in knowing whether this Amendment was brought forward to further the principle of household suffrage, or whether it was put forward for the purpose of obstructing the Bill. He had had the honour of a seat in that House for the last ten years. He was but a young Member when the Liberal party threw out the Bill of Lord Derby's Government in 1859; but since then he had often regretted that they had done so. He had believed on that occasion that when the great Liberal party said they could carry a better measure they really would have been able to do so. He regretted that the Bill introduced by Earl Russell in 1860 was not passed; and when the right hon. Gentleman the Member for South Lancashire introduced his measure last year he gave it every support in his power. No man was a more ardent supporter or a warmer admirer of the right hon. Gentleman than he was; but this was a question beyond the interests of party. It was a question in which the whole country was interested. The country wished that a Reform Bill should be passed. The right hon. Member for South Lancashire had said he wished that a Reform Bill should be passed—that it should be passed this Session, and, above all, that it should be passed by the present Government. He concurred with the right hon. Gentleman in all those wishes, though he should have preferred to see a Reform Bill carried by the Leader of the Liberal party. He could not go into the question of rating; but he knew that if Scotland was to be treated as it was proposed to treat England not fewer than 40,000 would be added to the constituency of Glasgow which he had the honour to represent. He therefore felt it to be his duty to assist in the endeavour to enfranchise those 40,000.

MR. HUBBARD said, that he also found himself in a position of extreme difficulty. The first Bill of the Government, imposing a £6 ratal franchise, was received with general acquiescence by the Conservative party; and he could not but regret that it had been withdrawn, and that they were asked to substitute for it the present measure. Last year he had voted for a rating franchise as the best qualification, but not in the sense now contended for by the Government as the basis of their Bill—namely, that the voter himself must be the payer of the rate. He regretted that the right hon. Gentleman (Mr. Gladstone) had felt himself compelled, on account of the division that took place on the question of rating last year, to withdraw his Bill. That Bill was founded upon an intelligible principle—that a £6 rental franchise would admit so many of the working classes as to destroy the due influence of those already upon the register—and therefore the right hon. Gentleman proposed a £7 franchise. He had never opposed that principle, and would be quite prepared to adopt it now. The

Government were then reproached with having introduced too democratic a measure; but now the present Government, stopping neither at a £6 nor at £5 limit, proposed to admit to the franchise every one who lived in a house and could by any possibility be rated. Under the late Bill it was calculated that 300,000 would be enfranchised; but the present proposition, in its naked form, would enfranchise 700,000. Well, but to prevent the full extent of this enfranchisement, a variety of safeguards had been introduced. The dual vote would, no doubt, have been highly effective; but it was so utterly obnoxious that it had been abandoned, the double period of residence was proposed but would be abandoned, and nothing would then be left to check the operation of the household suffrage, pure and simple, except certain obstructions to the possession of a vote by imposing the condition of personal payment of rates. Now, he could not agree in the opinion that there was anything in itself to recommend the scheme of personal rating, or that it had any particular merit apart from its avowed purpose of being a safeguard and restriction—and if the able argument of the Solicitor General was to be accepted, that personal rating is already embodied in the whole of our electoral system, it was difficult to understand what especial virtue it could possess when introduced as a corrective against the unlimited enfranchisement of the working classes. Now, either the proposition was one which presented difficulties to the intending voter — and, if it did, those difficulties would not be long endured — or it was one which gave a vote to every householder without imposing difficulties, in which latter case it became household suffrage. But to household suffrage he bore an invincible repugnance, and he was consequently in this peculiar position, that he was going to vote against the Government proposition, because he believed it led to household suffrage, while several hon. Gentlemen opposite were going to vote against it because they thought it did not lead to household suffrage. If they were sincere in their desire to extend the franchise, let them not interpose difficulties in the way of its exercise. If they were not sincere in their desire to extend the franchise, let them not pretend to do it. He regretted that the Bill had been prepared with such haste that in consequence of the urgency that existed for the consideration of the Bill itself, no opportunity could be given for the due consideration of the law of rating. He felt himself quite unable on this question to support the Government; but he differed from them with great regret. He had always given them his independent, though most willing support; but he could not hide from himself that the measure which they now propounded was one of the character which last year and in the early part of this year they had most strongly deprecated. He was therefore not prepared to become in a moment a convert from the views which he had always held, and which the Conservative party had maintained throughout the Reform debates of last year.

Mr. HORSMAN: I only wish to intrude myself on the attention of the House for a few moments — without entering into the general question or prolonging the debate—in order to state the grounds of the vote which I am about to give. The Amendment of the right hon. Member for South Lancashire now in your hands, Sir, may be read in two senses. It may either be regarded in a narrow and limited sense, as dealing only with the question of personal payment of rates, or it may be considered as part of a complete scheme of Reform, set forth in a series of Amendments of which this is but the first. Now, in the first of these views, as regards compound-householders, the facts have been so universally admitted and the arguments have been so exhaustive that at this stage of the debate we can do no more than state the general conclusion to which we have been brought by the speeches of others instead of endeavouring to contribute any new materials to form a judgment of our own. It is admitted that the compound-householder is in no way inferior in status to the man who pays his own rates—not inferior, I mean, in intelligence and trustworthiness. His condition is a mere accident. It is not a matter of his own free will or choice; but he is a compound-householder under the operation of a law for which he himself is not responsible. Now, if the class to which he belongs ought to be enfranchised, enfranchise it generously and fully. If not, refuse it the franchise. But to say that you are about to give the franchise to a whole class, and to add a limitation which takes it away from two-thirds, is an inconsistency and a mockery so transparent that instead of being a settlement of the question it must lead to disappointment, anger, and increased agitation. When we regard the question from the other point of view, as a new scheme of Reform set forth in a series of Amendments, it comes into competition with the Bill of the Government. Now, the Government Bill is founded on household suffrage with two years' residence and personal payment of rates. The alternative scheme of the right hon. Gentleman the Member for South Lancashire is founded on a £5 rating franchise, with one year's residence, and the enfranchisement of compound-householders. The Government scheme in addition makes a distinction between those who are above and those who are below the £10 line. For the latter two years' residence is required; for the former only one. The scheme of my right hon. Friend makes the condition of one year's residence apply to all voters alike. I have listened with a good deal of attention—I may almost say impartial attention—to the speeches which have been made on both sides of the House as regards the alternative proposals; and I say sincerely that the conclusion to which I have been brought is that, if this question were regarded entirely apart from all party feeling and considerations, five-sixths of the House would prefer the scheme propounded in the Amendments of the right hon. Member for South Lancashire. More than that, I sincerely believe that that would be the feeling of the occupants of the Treasury Bench. Such being the case, what does it behove the House to do? The question is one of difficulty and of great responsibility. Every one wishes to arrive at an honest and a speedy settlement of this question of Reform; but, at the same time, we all feel that the Bill of the Government has not presented to us any satisfactory or acceptable basis for such a settlement. The only excuse for a Government, at a time when it was supported by a party numerically so weak, and with such questionable antecedents, dealing with the question at all was the hope that it might be able to propound a measure which would be acceptable to the country. Now, in that hope I am quite sure not one even of their most ardent supporters will say that we have not been generally disappointed. The Bill which the Government have propounded has been acceptable to no party and to no class, and the speeches made on the other side of the House have certainly not been palatable to the Treasury Bench. Then the measure has been generally condemned by the Liberal party; and out of the House the masses and the unenfranchised, for whom it was specially devised, have at all their meetings denounced it. They have sent a deputation to the right hon. Gentleman the late Chancellor of the Exchequer, and besought him to reject the Bill, even at the risk of postponing Reform for another year. It is a fact that never was a great measure propounded by a Government on a great subject which was met with so universal a chorus of condemnation. Everything goes to show that the great Conservative body have abandoned their principles without acquiring popularity; and that it is much easier to discredit a party than to beguile a nation. In these circumstances, it certainly would appear to have been the duty of the House to have dealt differently with the Bill in its earlier stages; but as the opportunities for that were allowed, from one cause or another, to pass away, the right hon. Gentleman the Member for South Lancashire has embodied in a series of Amendments what has been termed an alternative scheme to be dealt with as a whole. Now, dealing with it as a whole, it is my opinion that the Bill of the Government is democratic in its principle, with a narrow and restrictive enfranchisement, whereas the scheme of the right hon. Gentleman is more Conservative in principle, with a more generous enfranchisement. The scheme of the Government is complicated, delusive, vexatious, and disappointing to those whom it most concerns; while the scheme of the right hon. Gentleman is simple and perfectly intelligible. It is admitted on both sides of the House that it presents a basis for a just, safe, and satisfactory measure. In these circumstances, believing, as I do, that to pass a delusive measure would be discreditable to the House and dangerous, as a mockery, to the country, I feel myself bound by every obligation of public duty and of public policy to condemn the Bill of the Government, and cordially support the alternative scheme of the right hon. Gentleman.

MR. GATHORNE HARDY: I congratulate the right hon. Member for South Lancashire as I congratulate the right hon. Member for Stroud—the one that he has found an additional follower and the other that he has at last found a leader. The right hon. Member for Stroud in supporting the Amendment, which exactly resembles the Bill of last year, has acknowledged that he was mistaken in the course which he adopted in 1866, when he repudiated the leadership of the right hon. Member for South Lancashire, and he has now found that submission is the better policy. The House is asked by the right hon. Member for South Lancashire to take a step that has never been taken in this House before, and I am surprised, I am astonished, I will not say how much I am pained, by the speeches made by some of my hon. Friends below the gangway, who in order to defeat the Bill of the Government have adopted an Amendment which is contrary to every principle they have ever expressed—which is contrary to the whole current of our legislation, and which I believe to be destructive of all the elements of national representation. Before the passing of the Reform Act the suffrage, so far as great constituencies were concerned, depended upon scot and lot and the payment of rates. When the Reform Bill was introduced the same system was retained, and personal rating and payment of rates were indissolubly connected with the right to vote. Last year, in the Bill of the right hon. Member for South Lancashire, the principle of payment of rates was omitted, and I and several other Gentlemen who sat on the same side of the House considered that as the most objectionable feature of the measure, and that which we ought strongly to resist. But now, when this Amendment is proposed as part of a scheme—without knowing what they will be called upon to vote afterwards, and without knowing whether they are voting with persons who wish to carry it out in its entirety—the hon. Member for Stoke-upon-Trent and others have to my astonishment adopted that portion of the Amendment which is absolutely ruinous to the suffrage proposed by the Government. The Government have been much abused, and much attacked, for having dealt with the question at all, and I quite admit that we stand on our defence for what we have done in this respect. When the present Government accepted office Lord Derby declared that he did not consider himself bound to deal with the question of Reform. But when the Government had to consider the question they unanimously came to the conclusion that it was necessary to deal with it in some shape or other. They did not do so with any desire to rush into a vortex such as that in which we now find ourselves involved — nor to quote the words which the hon. Member for Stoke has thought fit to impute to his personal friends "with the effrontery of the Treasury Bench" — but with a deep sense of the responsibility of public men who are acting for the interests of their country. [Mr. BERESFORD HOPE: Assuredly I did not tax you with effrontery.] We thought it was our duty to deal with this question of Reform. And having come to that determination, we had to decide on what principle we should deal with the question. That line which the right hon. Member for South Lancashire is attempting to draw, has been attempted over and over again, and has been over and over again rejected. We examined the question with care. We did not wish to enter upon a scheme which should not have some definite and lasting basis, and if hon. Members have come to the conclusion that these checks, if we may so call them, or these conditions, as others may call them, are insufficient protections, it is for them to devise what other protections may be given. I address those who think those checks are not sufficient. I am aware that many on that (the Opposition) side think there are too many; but whichever way it be it is for those hon. Members, on whichever side they sit, to endeavour to carry out their views with honesty and with determination of purpose. But we have undertaken to deal with this question, determined to adopt a basis which should be permanent, and I believe that the principle on which it stands is one that may be permanently adopted in this country. It is a question of drawing the line such as the right hon. Member for South Lancashire proposes to draw, I do not care where, and we have adopted what I may call the power of self-selection on the part of the constituency. The right hon. Member for South Lancashire has spoken as if we were going to introduce in some places a great flood of voters and in other places none at all. He has spoken of some cases in which he says, "Here you will add one vote, or I do not know whether you will add even one. I admit that you must make the proper deductions in all these cases;" but though the right hon. Gentleman had been telling us we ought to make all these deductions, when he wanted to alarm my right hon. Friends on this side of the House, he took the whole numbers to be poured into the constituency, and did not deduct from them the 30 or 50 per cent necessary to arrive at a proper conclusion; while, on the other hand, when he wanted to show that we wished to restrict them, he turned to the compounding householders, and would not admit that a single man would come in. When the right hon. Gentleman is complaining of our admitting a flood, what is he doing? He is introducing the same kind of occupation franchise, which now exists under the £10 clear annual value? What is the consequence of that? Why, according to the right hon. Gentleman's plan—and he talks of the power and influence which men of wealth are to exercise—according to his plan, any man may set out a number of allotment gardens with a pig-stye on each of them, and there would be a building and land together, with the power and influence of the landlord who chose so to set out his property. In the evidence with respect to Totnes and other places, we find that buildings have been erected on such lands—at least, what are called buildings. Notwithstanding that, the right hon. Gentleman deliberately introduces them without a clause to limit the value of the buildings, and says that with any kind of building and land together of the annual value of £5 a man shall have a vote. Such is the course which the right hon. Gentleman has taken; he admits people without residence—people who may be living in the smallest and meanest lodgings, but who have this small building and bit of land rated together at £5. Every man below that he shuts out altogether, without giving him the power to claim a vote, even if ready to pay the rates. He says the compounders pay as truly as other persons, and he challenges us to contradict it. I contradict it flatly, and I will take an instance existing in this metropolis, and I wish to know whether the compounders in the district of Poplar are paying the same rates or anything like it as those who are not compounding. I wish to know whether, as the rates are rising in the district where they are mainly compounded for by the landlords, and are growing up from 8*d.* to 2*s.* or 3*s.* in the quarter—I wish to know whether in that case the person compounded for is paying at the same rate as the person not compounded for? Is the compounders' rent raised? It could not be raised, for he is too poor. Is it raised in consequence of rising rates? It certainly is not. Who are the persons who suffer from the raising of the rates? It is the persons who are not compounded for, and who are many of them helping to support these very compound-householders, who, without the payment of rates at all, the right hon. Gentleman wishes to admit to the franchise. Why, Sir, is there no difference between direct and indirect payment? I do not want to go back too far. As was shown last night by the Solicitor General, although last year the right hon. Gentleman opposite left out of his Bill qualification by direct taxation, previously he had been a party—twice, at least—to bringing in measures under which parties who paid direct taxation were to be enfranchised. Do not the indirect taxpayers pay just as truly as the direct payers? If that is true, why were they not placed upon the franchise in the same way? The reason is, not whether they pay or do not pay, but that one man takes an interest in the matter towards which he pays his money—he takes an interest in the local concerns of the place which he inhabits—while the moment that direct payment is taken away he becomes wholly uninterested in those concerns. We are accused of not allowing those persons who do not pay their rates directly to come on the franchise. But what is the case with respect to those franchises in which they are immediately interested? Do they vote in vestries? No. Do they vote for the guardians of the poor under whom they so frequently come? No. Do they vote for local boards of health, which concern them so materially in all their transactions? No. And why? Because this House has thought them unfit to be intrusted with those franchises. Are we, then, acting in the spirit of the law as it exists, or are we acting contrary to the law and raising up something new? I say we are acting in accordance with that which has been the feeling of Parliament hitherto, which has been consecrated in all your Reform Bills and in your law; and it is that which the right hon. Gentleman, by this Amendment—whether it applies to his own £5 franchise or to our franchise—is attempting at once to do away with. Another thing surprised me much. The right hon. Member for Stroud (Mr. Horsman) I think made a Motion that the Report of the Committee on Municipal matters which was presented to the House of Lords some years ago should be communicated to this House—with an object I presume. But what was that object?

The right hon. Gentleman had read that Report before he moved that it should be printed. It was a Report to show that where you had done away with the payment of rates directly under the Small Tenements Act you had injured the municipalities; that instead of the municipalities being governed by the property of the place, the result was that the smallest portion of the property and the greatest portion of the numbers secured the elections for those municipalities; and I am sorry to say that bribery and corruption prevailed, in small sums certainly, but to a very great extent. [Mr. HORSMAN: At a lower franchise?] Yes, a lower franchise to some extent, but a higher franchise to a certain extent than that which the right hon. Gentleman has condemned, because that was practically a three years' residence, instead of a two years' residence, as proposed by this Bill. The right hon. Gentleman the other night asked why the Small Tenements Act was passed. I was very anxious to know what he would say to that, and he said very much what I think was the correct thing, and a justification of the Government for not introducing every compound-householder upon the register at once. He said that the compounding Acts might properly be called Acts for obtaining the payment of rates from persons from whom they could not previously have been obtained. Now, what is the meaning of that? That there is a certain class of people to whom you may look in vain to pay the rates through the regular collectors. Any one who will inquire in our large towns, and in our small towns also, will find that where the Small Tenements Act does not prevail, and where persons are called upon for direct payment of rates, there are vast numbers of excusals. I was noticing the other day one of these cases—the case of Cheltenham —and I was struck with a remarkable fact. There was no distinction made between the male and female occupiers, and therefore it was impossible to tell how the voting would be affected, but there were more excusals from the rates—in some instances even as high as between a £9 and £10 rating, and increasing lower down— there were more excusals from the rates between the lowest point and £10 than there were male occupiers. Now, I would ask the Committee to look at this question fairly and honestly. Do they wish these persons, who are so excused their rates in consequence of their inability to pay, to be placed upon the register? The hon. and learned Member for Sheffield has put that point with perfect clearness. He says, "I wish to exclude persons of that description." I also wish to exclude them. They are not bearing their due share of taxation —and so far from doing so, they are throwing an additional burden on those who do take their due share. I do not want to find fault with these people because they are poor. The right hon. Member for South Lancashire stated — and I know not whence he derived his information—that somebody or other had said that the compounders are inferior in character, and that they are given to cheating their creditors and to getting drunk. Will any one tell me who made this extraordinary statement? Certainly it was not made by any one on this side of the House; but it has evidently been thought of by the right hon. Member for South Lancashire, and ought to be hung up in the workman's shops along side the well-known passage from the speech of my right hon. Friend the Member for Calne. I deny the assertion made by the right hon. Gentleman that this Act is to be used for disfranchising purposes. The right hon. Gentleman says there is no moral test in our proposal. I ask, where is the moral test in £5? Is the sweeping net that catches every fish in the stream up to a certain size—is that much better than the net which takes in only fish that are worth catching? As to the figures of the right hon. Gentleman, I do not dispute them at all. I have always considered that this Bill is a Bill of self-selection. It is a Bill which begins by enfranchising a certain number of ratepayers, but not the enormous number which has so alarmed the hon. Member for Stoke-upon-Trent. The hon. Member has drawn into his calculation the name of every person on the rate book. That is a great mistake. Instead of 750,000, as supposed, probably not more than 50 per cent of that number will come in under this measure. I suppose he must allow that a number will not be admitted to the franchise. We have been told that there are a number of persons knocking at the door for admission to the franchise. We say to them, "Be so good as to take hold of the handle of the door, and come in." "No," says the right hon. Gentleman, "You must go out and force them to come in. It is quite a mistake to suppose that they will take any trouble in getting the franchise. True, they talk about it a good deal; but it is too much trouble to them to do anything. You must relieve them from all embarrassment." Then we have been told about fines and penalties, and I know not what. It is true we differ in some respect from Sir William Clay's Act. Now, when Sir William Clay brought in that Act, I believe Earl Russell objected specially to that part of it which relieved persons from the full payment of rates. This was the case the first year the Bill was brought in, but in the second year the Bill passed with comparatively little alteration. I am not going to dispute the policy of that Act. It is the law, and there is an end of it. But when hon. Gentlemen contend that there is so great a difference between Sir William Clay's Act and this Bill, let them remember that under the Act there must be a claim and payment or tender of rates. Suppose the tenant pays the rates. He is not recouped by the landlord; and if therefore under Sir William Clay's Act the tenant pays his rates in order to get upon the register, is he fined or not? The landlord is not bound to repay him, and yet you say we are dealing with the tenants in a more unfair way than they are dealt with under Sir William Clay's Act? Now, what is the real state of the case with respect to these compounding-tenants? As far as the Small Tenements Act is concerned, almost every man—I may say every man—is either a weekly or a monthly tenant. If he is a weekly or monthly tenant, why need we trouble ourselves to treat him as though he entered into a contract extending over several years, when he has only to say to the landlord, "I shall put myself on the rate book; we must settle our rent on a different footing;" and at the end of the week or the month the new arrangement may be entered into. That is my answer to all the arguments about fines and penalties. There is not one of these persons in 100 who holds a lease, except in cases where the greatest injustice is certainly worked by the local rating Acts. It is said that there will be inequalities under the plan proposed by the Government. I will not go into the case of the fifty-eight boroughs where every compound-householder is under £6; but I will take the case of the ninety-eight boroughs. Suppose the compound-householder claims to have his name immediately put on the rate book, he will have to pay the occupiers' rate in that borough. As to inequalities, are there no inequalities connected with £5 rating? Is such a rating the same thing in London as it is in Grantham? I know that there must be discrepancies under a £5 and under a £10 rating however you may legislate. You say that people will never quietly and contentedly pay their rates. No, not if the right hon. Gentleman the Member for South Lancashire gets up and tells them that they have a grievance, which, however, they do not feel. But have compounding-householders above £10 rating under a local Act been violent agitators against it? Has Brighton been moved to its centre because a certain number of the compound - householders there have never got upon the rate book. Brighton has a local Act that extends their power to £20—a most unjust thing. There are other places where, for the convenience of the parish officers, the richer classes have been mulcted to a great extent and a burden laid upon their shoulders which they ought not to bear. Do we, then, propose anything new? At Brighton at this moment compound-householders are required to claim in order to come on the register. And in proposing a lower franchise we say, "You also must claim in order to get votes; but so long as you pay the rates there is no need to claim." I am quite sure there must be discrepancies, however you may legislate; and I defy any man to frame a measure in which ingenious people like the hon. and learned Member for Richmond and the right hon. Gentleman the Member for South Lancashire will not be able to pick a hole and show how difficulties will arise, especially if people are instructed how to make them. The vestries, it is said, may change all this; but I may remind the right hon. Gentleman that though he did not carry all his Instruction part of it was adopted by the House. Let him, then, in Committee, show some mode by which vestries shall be prevented from making the constant changes which are deprecated. Remember vestries cannot make such a change under a year, so they cannot act with any view to an immediate election; and, again, the tenant must have paid rates for two years before he can vote. Now, are you to expect that vestries will look forward for two years, and introduce changes when all the political objects which they may have contemplated will have passed away? If, however, you fear the exercise of this power by the vestries, put the thing right by legislation. The right hon. Gentleman says that one franchise is all-important; working men cannot get into this House in adequate numbers unless you have a lodger franchise. Now, according to his own statement a lodger franchise involves a claim from year to year, and last year he did not treat this as a workman's franchise at all, but almost entirely as a middle-class franchise. The right hon. Gentleman said in 1866—

> "If they can show that the rooms they inhabit are of the clear annual value of £10—of course without including either rates, taxes, or cost of furniture—they will be entitled upon claiming year by year to be placed upon the list of voters."

And, again, the right hon. Gentleman says—

> "I can give no information as to the number of persons who would, perhaps, be enfranchised under the title of lodgers; but this I may say, that my firm belief is that it will be a small one; and, in the second place, my firm belief likewise is this —what I now speak of will prove to be a middle-class rather than lower-class enfranchisement. I should be misleading the House were I to pretend to entertain the opinion that any large number of the working class or any very large number even of the middle class will come upon the register by virtue of that which we term a lodger franchise. Consequently, I do not venture to add any figures on this head."—[3 *Hansard*, clxxxii. 46, 47.]

Now, Sir, this is the object of the right hon. Gentleman's impassioned affection this year. Working men are now told that without this franchise they will be left in a deplorable condition, whilst last year they were told that so small a number would be enfranchised by the lodger franchise that the right hon. Gentleman could not really give a single figure to show how many they would be. Now, if the lodger franchise be what it is said to be this year—the all-important point of the Reform Bill—and that franchise require that the claim to be put upon the register should be made year by year, how can that be reconciled with the objection the compound-householders who only require to make one claim in order to be put upon the register? But the right hon. Gentleman says it is quite a different thing in the country from what it is in the town. I admit that in the country the Government plan of the personal payment of rates is a test of a man's character; but I want to know why on earth such a payment of rates should be a test of a man's character in the country and not in the town? I want to know the size of a town when a man begins to lose his character, or, at all events, not to set it up by paying his rates. But another objection has been made (it appears to me to be a most comical one) by the noble Lord the Member for Stamford. He says you are going to introduce a system of corruption; and I may here remark that, if that be my noble Friend's opinion, I am astonished that he went with us as far as he did. He charges us with introducing corruption; but let us see how the case really stands. The Government proposal is that a man is to pay his rates for two years before being entitled to the franchise. The supposition of the noble Lord is that somebody wanting to carry a great political point will begin two years before, and pay those people's rates over and over again, because a man cannot be put upon the register by a single payment. This corruption, then, is to go on for two years, in order that some time, say when a dissolution may come, some important political advantage may be gained. Can any one really suppose that any man will set himself seriously down to such a business as that? The noble Lord, however, presses that; but we are not to suppose that any man will be so corrupt as to let a man have a piece of land upon which to erect a pigsty, become his own tenant, fix his own rent, and thus become a voter. So much for the question of corruption. The right hon. Gentleman opposite, in his attempts to throw dirt, talked about the fantastic erection which we are building up. Household suffrage! What a deplorable state of things! Whenever the right hon. Gentleman even hears of it, he is dreadfully afraid, as if the Bill proposed a household suffrage such as he declares. Why, even the hon. Member for Birmingham does not wish to introduce what he calls the whole "residuum" into the franchise. I say, then, that a more dependent, a more corrupt, a more weak, or a more yielding person than the man who has put up some small pigsty under the influence of his landlord cannot be conceived. And yet that is what the right hon. Gentleman sets up against the Bill. The noble Lord the Member for Stamford and my hon. Friend and Colleague the Member for the University of Oxford have said that they are obliged to take this Resolution as part of a great scheme. Now, I must say, with great respect for my friends, that a more extraordinary proposition has never been submitted to the House. They propose to take the whole of the scheme of the right hon. Member for South Lancashire, and unamended they adopt the principle with which it begins, which is contrary to every profession and principle upon which they have ever acted—namely, the principle of the non-payment of rates. They will take none of ours, but the whole of that of the right hon. Gentleman opposite. I know no man of whom I can speak with more regard than my hon. Friend and Colleague. There is no man to whom I would refer a question concerning my own honour with greater frankness, freedom, or unreserve than him; but when my hon. Friend gets up and tells us that, without sacrificing our personal honour, we can accept the whole of the right hon. Member for South Lancashire's Amendment, I must tell him that in such a case I myself must be the judge of what concerns my own honour. I say that anything more inconsistent with what I profess, and what I have put forward for my guidance as a Member of this Government, cannot possibly be conceived. I should consider myself degraded, and worthy of those reproaches which have been somewhat too harshly insinuated by the hon. Member for Stoke, if I were to submit myself to such humiliation. Sir, the noble Lord the Member for Stamford, and my hon. Colleague the Member for the University of Oxford, misinterpret this Bill. They attribute to it an effect which it neither would, nor was it meant to have. Their object is to get rid of the Bill altogether; and they see through a distorted medium the motives and actions of those who support it. For that reason, without imputing to them any unfairness towards me or my Colleagues in wishing us to take the step they recommend, I must say that I cannot accept advice on this point from those who are opposed to the Bill, and who have a misconception of its objects. I think it would have been much better if, instead of accepting a principle contrary to those which they have all along professed and acted upon, they had manfully acknowledged that their object was to get rid of the measure without being particular about the manner. If they had said, we wish to destroy the Bill, and are not scrupulous as to the weapon employed for the purpose, I could have understood them and would have said nothing about it. But if they support as they are doing the Amendment of the right hon. Gentleman the Member for South Lancashire, then I say that their acting is as contrary to their principles, as they say we are acting contrary to ours. Sir, it is no ordinary thing to see—and I hope we may never see it again—to see the noble Lord the Member for Stamford and the hon. Member for Birmingham rising at the same moment in the House, and with mutual courtesy each giving way to the other, because each was bent upon the same object. Where now are those unenfranchised millions of whom for so many years we have heard so much from the hon. Member for Birmingham; where the clients for whom he spoke, those five or six toiling millions of his countrymen, who were neglected, who were in a state of serfdom, who were never to be admitted to the franchise? And now the hon. Member for Birmingham is ready to support a £5 rating, because he does not believe that those persons whom we are ready to admit upon their claiming to be admitted will be enfranchised under our Bill. But he takes that wide sweep with the £5 franchise, as if possibly his life of agitation might be ended when that point was gained. But I am sorry to say that there are worse agitators than the hon. Member for Birmingham, and I fear that when one agitator has stepped out of the way there will be others to step into his place. What does the hon. Gentleman the Member for Bradford say? That he has attended public meetings because he sympathized with their objects. But was there one of these public meetings at which the hon. Member attended where the object has not been residential manhood suffrage? I know—and let me say it to his honour and credit—that the hon. Member for Birmingham, when he did attend those meetings, distinctly stated that he was for stopping at household suffrage. [Mr. W. E. Forster: I said I was not for residential manhood suffrage.] I understood my hon. Friend to say that he attended those meetings because he sympathized with their objects, and one of those objects was residential manhood suffrage. But if my hon. Friend says he only sympathized, then I presume it was a platform sympathy with Parliamentary limitations. Well, Sir, the Committee has before it two Amendments of the right hon. Member for South Lancashire, and they are both of a peculiar character. There is one which has an absolute bar drawn across at a particular point, and it has the most extraordinary addition that I have ever seen put upon the Amendment paper of this House. Let me here remark that I should like to repeat the question I asked last year—how many days before the right hon. Gentleman introduced his Bill into this House last year was it based on a rateable franchise? There were certain figures in the Returns which convinced me that it was not originally drawn as a rental franchise, and I should like much to know when the alteration was made. That, however, will probably remain a secret for a long time to come Probably some thirty or some sixty years hence, when the memoirs of the right hon. Gentleman come to be written, the secret will come out. What is the Amendment to be tacked on to all the other Amendments of the right hon. Member for South Lancashire? He proposes, in the event of the adoption of the Amendment fixing a limit of rateable value in Parliamentary boroughs, a clause to provide that—

> "Whenever the rateable value of any tenement falls below £5, by reason of a deduction of more than 20 per cent from the gross estimated rental, the occupier thereof may claim to vote, and thereupon shall, if otherwise qualified, be registered."

So that, although the making a claim is represented as such a frightful business, such a terrible obstruction, he draws a hard and fast line at £5, and then says that if any occupier below that sum thinks more than 20 per cent is deducted from the gross rental, he is to have the opportunity of going before the assessment committee, and asking to look at the valuation list, and may then go to the overseer and say, "I am assessed at a lower sum than I ought to be; I ought to be assessed at £5 instead of £4 10*s*." He is to do all these things in order to get himself rated at the higher figure, and is to fine himself in order to obtain the franchise. [Mr. GLADSTONE dissented.] If I do not understand it I am afraid I am only in the same position as other hon. Members; but I believe that is what it means, that any man in the situation I have described is to have the privilege of being rated higher, in order to obtain the vote. But it is said that there is an enormous trouble and expense connected with obtaining the franchise under our Bill, and we are threatened with a tremendous agitation on this subject. I do not suppose the right hon. Gentleman the Member for South Lancashire will go "stumping" in the provinces as he has done on previous occasions. Neither do I suppose the hon. Member for Birmingham, who must be somewhat wearied of excessive agitation, will go into the country. But we hear there are to be "Reform meetings," at which it will be stigmatized as a monstrous iniquity that the compound-householder should have to make a claim and pay his rates. Now, I will undertake to say that a procession to Beaufort House on a rainy day would involve a greater waste of shoe leather and waste of time, and fifty or a hundred times the trouble, than if the same persons were bent on getting their names placed upon the register. I do not hesitate to say that if they adopt that plan of agitating to get the franchise instead of going to the overseers to obtain the same object, that the trouble and expense will be fifty times as great. Mr. Dodson, I have troubled the Committee at some length. I believe the Bill to contain within it the materials for a permanent arrangement of this question. The right hon. Gentleman opposite from the very beginning has wished to get rid of that which we wish to retain. We say that the rate book should be the register. [Mr. GLADSTONE: Hear, hear!] The right hon. Gentleman has certainly not provided for this in his Amendments. He maintains that though the landlord pays the rates, the tenant shall have a vote. We say, on the other hand, that as the payment of rates induces an interest in local affairs, the man who so pays is more likely to be educated and take an interest in the concerns of his country. We say, moreover, that a measure based upon a £5 franchise is just as likely to be followed by renewed agitation as a rating franchise, because the one is as much opposed to residential manhood suffrage as the other. Do not suppose that you can by any means silence agitation. As an hon. Member has remarked, there will always be men whose only way of obtaining notoriety is to thrust themselves before the public as agitators. These men still continue to exist. It is not on those who seek to lead the poor and ignorant astray that we must look; but we must rely upon the firmness and good sense of those who go to the constituencies. We must not look to those who go to constituencies outbidding each other as to what they will do on these questions. [*Cheers.*] I can only say that I hope that cheer does not allude to anything I have said in former years. I have never since I entered Parliament been one of the "ardent" Reformers to be found in this country. As far as I am concerned I have taken up this question in order to remove an obstacle to all the other business of the House. We have been taunted very much for having done so, and the right hon. Gentleman has come to our assistance in what he calls a "friendly" spirit. The right hon. Gentleman has, however, adopted a tone of contempt towards those opposed to him which is not calculated to facilitate any progress on this subject. He has expatiated on the absurdity, the ridiculousness, and the folly of what we have proposed, consistent though that proposal is, with previous legislation, and with existing enactments. It does not seem to me that such a tone is calculated to bring about any cordial action between both sides of the House for the purpose of settling this question. The question between us is whether you will have this line hard and fast, as my right hon. Friend has described it, or whether you will adopt the self-selected system which we have proposed, and which we believe contains sufficient checks to prevent those who ought not to have the franchise from exercising it. Sir, in taking a position as one of Her Majesty's servants, I am thankful to say I did not become the servant of the right hon. Gentleman opposite. I confess I do not think he was an easy taskmaster to his own side last year, and he is not an easy taskmaster now, and he certainly is not a very conciliatory opponent of those who sit on this side of the House this year. It is not merely the mellifluous tone of the speaker, but the language, and the meaning, and the bearing of the Gentleman who uses that language that should be borne in mind. The right hon. Gentleman had better state at once, clearly, distinctly, and emphatically, that which his Amendment means. It means the destruction of the present Bill. It means emphatically that the Bill is to be removed from the consideration of Parliament. The right hon. Gentleman refers to threats which have never come from these Benches. Sir, the subject before us is a matter for the fair and dispassionate consideration of the Committee. It is for them to decide, and as for the sordid motives which hon. Members have not thought it unbecoming to impute to those who sit upon this Bench, I repudiate them with all the scorn which Parliamentary language is capable of expressing.

Mr. BRIGHT: Mr. Dodson—I shall not say much to prolong this discussion to a very late hour; but I should like to make a few observations before the debate closes. The right hon. Gentleman who has just sat down made himself merry with the fact that last night the noble Lord the Member for Stamford (Viscount Cranbourne) and I rose at the same time to address the House, and that I was willing to give way to him, and, as he says, the noble Lord was willing to give way to me, because we were engaged in the same cause. Well, if the noble Lord has made any advance towards my opinions—and I suspect since last year honestly and honourably he has made some—I can only say that I shall welcome him not only in this but in every good cause, as one of the most powerful advocates that it could be possible to receive. The noble Lord and I have never exchanged a word in private; but I take this opportunity of saying, that I listened to a speech made by him when he was in office, upon a subject very far removed from this we are now discussing, a discussion upon a subject connected with his own office. I mean the annexation of the territory of Mysore—and I have never heard a speech in this House which contained nobler sentiments, delivered in better language, and given in a manner more calculated to impress the House. I much regretted, therefore, that the noble Lord felt it his duty to leave the Treasury Bench. But if I may derive pleasure from the noble Lord having made some small approach to my views, surely I may be as much gratified by the not small steps, but the large progress, which the right hon. Gentleman who has just sat down has made since last year. I believe if the pages of *Hansard* were referred to it would be possible to show that there was scarcely a Member in this House on that occasion who felt or pretended to feel a greater terror of the admission of £7 householders than was felt by the right hon. Gentleman himself. I will not reproach him. I do not reproach his Colleague and Chief in this House, the Chancellor of the Exchequer. I am only too happy to find that they are willing to proceed even to the length of the measure which they have introduced, and I shall not break my heart if the measure as it comes out of this House should not take precisely the shape that I would like to see it take. But I shall console myself with the belief that the past barriers against a just representation of the people are broken down—and that the Chancellor of the Exchequer and his Colleagues have utterly repudiated the whole of the past with which they have been connected. Now, Sir, I shall endeavour in a few minutes to ask the attention of the Committee to the precise point which is before it, because I am now about to discuss this question as a matter of party. The Chancellor of the Exchequer made a bargain with us at the beginning of the Session that it was not to be a party question, and that it was not to be used for the overthrow of Ministers. I shall treat it in that sense. Last night I was surprised at the speech of the right hon. Gentleman the Member for Oxfordshire. I always listen to him with great pleasure; but last night I listened to him with great surprise, because, if my memory does not fail me, it is only three or four weeks ago —we have had so many Bills and so many discussions that I am puzzled as to dates —since the Member for South Lancashire threw out a hint to the House that it would be desirable to alter the law of rating, and draw a line excluding some and admitting great numbers; and the right hon. Gentleman in his place seized upon that hint, and gave a cordial approval of it; and I am not at all certain whether the Member for South Lancashire has not been in some degree induced to take the step he has taken in consequence of the powerful support of the right hon. Gentleman opposite. [Mr. HENLEY intimated dissent.] Well, the right hon. Gentleman is too modest to assume that he has that influence upon the Member for South Lancashire; but I really believe I am not overstating the case. Now, Sir, what is this Amendment which is before the Committee? It affects the borough franchise only, and it proposes what I think in our common sense we should all say is a very reasonable proposition—that every person to whom you offer the borough franchise, who is considered entitled to it, who may justly claim it, should be placed upon exactly the same terms, should have the same facilities for obtaining and enjoying it that every other person shall have; that is the object of the Amendment, so far as I understand it. It means that the present householder of £10 and upwards, and the householder from £10, and as much lower as the House may go, shall be exactly on the same footing, and that the compound-householder above £10 shall have no advantage over the compound-householder below £10. It means, in point of fact, that you shall not select from amongst your constituents a special class for special privileges; but that, having determined who are the persons on whom you will confer the franchise, you will deal honestly, and generously, and fairly, and equally with them all. Well, at this moment that is the state of the law with scarcely any exception. The Reform Act deals in a certain way with a £10 occupier. There has been a difficulty which has been already perhaps sufficiently explained with regard to the compound-householder; but still at this moment that difficulty I believe is not from the existing law, but it exists by the practice of the overseers of the poor. I was asking to-day a gentleman who is very profoundly versed in these matters, and he told me it is the law at present that all occupiers' names should be placed upon the rate book. And if that be so, of course the Instruction which I believe some time ago went out from the Poor Law Board that the rate books should be so formed, is in accordance with the law, and henceforth all occupiers will find their names upon the rate book, whether they be payers of rates directly or payers of a composition rate. Well, what will happen. I believe the Reform Act intended that all these persons' names should be upon the rate book and should be upon the register; that it is not Parliamentary law which has kept them off so many years, but lawyers' law, the decisions of revising barristers, and for a time the decisions of the Courts. The right hon. Gentleman the President of the Poor Law Board, in the very able speech which he has made to-night, has never pointed out, and did not attempt to point out, any real ground why the compound-householder below £10 should be treated differently from his brother above £10. I want that to be explained to the House. I see no reason shown for any such exclusion, and I venture to say, in opposition to what the right hon. Gentleman has said, that that exclusion and that difference must be held to be a direct violation of the principle of the law as it now stands. Does the right hon. Gentleman deny that at the present moment the landlord's payment is, for the purpose of the franchise, the tenant's payment? If there were any doubt upon the matter I think it should be removed by my reading to the House an extract from a letter, in which is quoted the opinion of two very eminent Judges upon this matter, and who were especially eminent on all questions connected with appeals on registration law. The writer of this letter, who is himself a registration agent in the North of England, asks me—

> "Whether it is intended that no person shall have the vote who does not pay the rates out of his 'proper hand?' If so, we shall have two modes of payment of rates between the £10 voter and the householder proposed to be enfranchised. We have now many £10 voters who never pay a farthing of poor's rate directly out of their own hands, but pay it in the amount of rent calculated to cover all charges by the landlord. It has been ruled in the Court of Common Pleas, by Chief Justice Tindal: 'That the tenant was rated. That he held his premises under an express agreement with his landlord that the latter should pay all rates and taxes, and further, that these had all been paid.' Chief Justice Tindal goes on to say: 'It appears to me, that the tenant being rated under these circumstances, the calling upon the landlord to pay, and the payment by him, are equivalent to a *bonâ fide* calling upon the tenant to pay, and a *bonâ fide* payment of the rates by him.' Mr. Justice Maule, a great authority, said in the same case: 'It was at first contended that the payment must be by the party's own hand. Generally speaking, the payment of money is a thing that is, of all others, the least necessary to be done by the hand of the party himself. There cannot be the smallest doubt that, where one gets another person to pay the rate for him, and allows it in account, *that is a good payment by the party rated*. . . . The Legislature, by *bonâ fide* payment, probably meant to exclude the gratuitous payment by a candidate."

Well, I think that these quotations from these eminent Judges clearly settles what is the law with regard to this matter; and I want to ask the right hon. Gentleman the Chancellor of the Exchequer why he proposes to change it. Has the law been found to be a bad law? It was passed through both Houses of Parliament without any division, and has remained uncomplained of and uncontested in both Houses of Parliament for the last sixteen years. I wish to know why, then, merely for the purpose of a large disfranchisement and exclusion, the present absolutely satisfactory condition of the law is to be objected to and interfered with. The right hon. Gentleman the President of the Poor Law Board tells us now this measure will allow people to come in. I will tell him how it keeps them out. He blames the right hon. Member for South Lancashire for a proposal which has a line and which makes no moral selection whatever. What will the Bill of the Government do? It will give a vote to a man who lives in a hovel worth not more than £3 a year, if that man by any means pays his own rate in his own name, and it will exclude every man whose rental may be £8 or £9 value if he pays his rates through his landlord. I think there is a capriciousness in that which will be found most unsatisfactory. But let us leave for a moment the capriciousness with regard to the individual and see how it affects the town. The hon. and learned Member who sits just below me has made a speech to-night in favour of this Bill. He represents the town of Sheffield. Now it will be found that in that borough—I am not making allowances for the 30 or 50 per cent reductions—I am taking the gross numbers—it will be found that in the town of Sheffield this Bill would immediately give the chance of getting upon the register to not less that 28,334 persons—which, I believe, is 11 or 12 per cent of the whole number that immediately under this Bill—I mean in the first year of its operation—would have a chance of coming upon the register. But what does it do now in this respect with reference to the unfortunate town which I am permitted, in conjunction with my hon. Colleague, to represent in this House. Birmingham, as the House knows, is a town considerably larger than Sheffield. Like Sheffield, it is concerned chiefly in the manufacture of metals. I would say no more for Birmingham now than I have said for it before I represented it; but I say there is not in this kingdom a town whose population is more industrious, and has connected with their industry more intelligence than that of Birmingham. But what does this Bill do for the town of Birmingham? Why, it gives the chance of admission to the registry to 2,384 persons, and it excludes under the Small Tenements Act—["No, no!"]—wait till I have finished my sentence—I say that it excludes, under the Small Tenements Act and under the various local Acts, not fewer than 36,177 persons. No! I know very well what hon. Gentlemen mean. They mean, of course, that to accommodate the capricious measure of the Government — and the caprice of that measure is in no degree essential to a sound measure of Reform—in order to accommodate themselves to the caprice of that Bill they must do something. But what are the people of Birmingham to do? They are to get rid of the Small Tenements Act in their various parishes, if they can make up their minds to that, and they are to come here in order to get Parliament to consent to a Bill to repeal their local rating Acts. Well now, I am not surprised that the Member for Sheffield or the Member for Oldham should think that as regards those particular spots with which they are principally connected there is something useful in this Bill. But I have a higher opinion of the people of Sheffield and of the people of Oldham than to believe that for the sake of a special advantage to them in this respect they would prefer that a Bill should be passed which would do such grievous injustice to Birmingham and to the great majority of the boroughs of the kingdom. Now, last night only, when this matter was under discussion, I had an opportunity of speaking to three gentlemen from Birmingham who came up to London on no matter connected with this debate; one of them being an eminent officer of the Chamber of Commerce, and another equally eminent in connection with the administration of the Poor Law affairs. I said to them: "Would it not be possible for you in Birmingham to so alter your position with regard to the question of compounding for rates that you could put yourselves in a short period in as satisfactory a position as the town of Sheffield?" They said that they believed it to be absolutely impossible. In that town the great majority of these 36,000, to whom I have just referred, have never paid poor rate—I am speaking of paying it directly—for it has not been the custom of the town to do so, and to ask them, for the sake of putting some of them upon the register, in accordance with the requirements of this capricious Bill — to ask them to destroy the whole fabric of the economic system connected with their poor rate is, I say, to ask them what this House has no right to ask them, and which we have no reason to expect would be complied with if we did ask. And I complain, and I think the House has a right to complain, and I think the Members for all the boroughs which are thus adversely affected have a right to complain, that a Bill has been introduced having this essential quality, that it must cause confusion in every borough, though it has not been shown, and it never can be shown, that the cause of that confusion is in the smallest degree necessary to the satisfactory settlement of the question of Reform. Now, the House in many cases proceeds very much upon precedent. It likes what is old, and when things are thirty years old they assume a certain aspect of respectability. I have a great regard for the Reform Act of 1832, and the Chancellor of the Exchequer sometimes speaks of it as if he had a great respect for it; and I am not sure now that he is not actuated in his present course by a sort of envy of Earl Russell. That noble Lord has a great historic name in connection with the Reform Act of 1832. The right hon. Gentleman hopes, perhaps, to become the great historic name connected with the Reform of 1867. But now the principle of the Reform Act is extremely simple—household suffrage, a building occupation in towns, limiting it by a value of £10. That defines exactly what is intended to be done. Well, nearly all the Bills which have been introduced since that time have been based upon almost the same principle. The Bill of the right hon. Gentleman the Member for South Lancashire last year was based upon the principle of a £7 rental. Nothing could be more simple; and, as far as it went, it was felt in all parts of the country to be entirely clear and honest. But whilst that Bill, as the Reform Act did, defined clearly what it was intended to do, and could by no possibility deceive anybody, the present Bill, while capriciously proposing greatly to extend the franchise, does actually exclude multitudes of those who, if you touch this question at all, have a right that their demands shall be conceded. Well, the remedy which the right hon. Gentleman the Member for South Lancashire proposes is a remedy very much in accordance with the principles of the Bill of 1832 and of the Bill of last year. The right hon. Gentleman wants to establish a definite ground and a definite line, and to include the multitudes, or a considerable portion of them, that the Bill of the Government must necessarily exclude. Now, suppose I put this to the Members of the Government who are really anxious, as I am anxious, that this matter should be settled within the framework of this Bill. Suppose that this point that we are now discussing were settled—that the personal rating were abandoned—that its great exclusion was felt to be unjust, and was given up—that it was thought better to offer something distinct and definite to the approbation and acceptance of the people. Well, then, in that case we should have to determine what the franchise should be, and it must be one of two things. If the personal rating were given up, it must either be household suffrage pure and simple, or it must be some line—it does not follow it should be the line fixed by the right hon. Gentleman the Member for South Lancashire—but it must be some line above which at present the franchise should be given to everybody, and below which at present, and it may be for another thirty years for anything that I know, the franchise should not be extended. The right hon. Gentleman the Member for South Lancashire has proposed in this clause a £5 rating franchise, and the President of the Poor Law Board has made very merry, and expressed the utmost astonishment that there should be an addition to that clause, by which it is proposed that, as a rule, wherever the variation in the rating is so great as to be manifest in defeating the object of the House and the Bill—that where the real clear annual value was £6 or £6 5*s.*—that in that case the suffrage should also be given. And the proposition of the right hon. Gentleman really comes to this: that it would have, as near as I can judge, exactly the same effect in extending the franchise as if the House were to adopt the proposition of the Bill of 1860, and give to the country a £6 rental franchise. I am not going to chaffer about this matter. I believe honestly that whether the line of rating was drawn at £4 with the rental at £5, or the line of rating at £5 with the rental at £6, that either of these measures would be a better measure for the country, far more satisfactory, and would form a far surer settlement of this question than the Bill as it is now before the House. I believe that, because it would be honest and equal. This Bill is not equal, and if it is not equal it cannot be called honest. I believe more—that the proposition of the right hon. Gentleman the Member for South Lancashire would include within the electoral lists more completely and fully all those that the House proposes to take in, which is the best paid and the most intelligent of the working classes of the kingdom. Now, the right hon. Gentleman the Chancellor of the Exchequer, when he was making a speech in favour of his Bill, on the second reading, in 1859, made use of an observation or two, which, I think, he has been just now putting into practice. He said—

> "I am perfectly aware of all the tricks of management by which you can deal with the borough franchise."

He said further—

> "How you can manage to appear to be doing a very liberal act, and yet keep out of the franchise the very class for which so many persons express so much sympathy?"

He says, and I dare say it is true, "I have all these plans in my pigeon-holes, and could have availed myself of them with perpect impunity." I dare say the noble Lord the Member for Stamford, if he were at liberty to explain his explanation, might probably tell us how many of those curiosities from the pigeon-holes of the right hon. Gentleman have been laid before the Cabinet; but I suppose, after fingering them all over, and seeing which would be the likeliest to suit his purpose, the right hon. Gentleman saw that this after all was the cleverest dodge, and he had the not altogether absurd notion that there were Gentlemen on this side of the House, enthusiastic Reformers, who might be caught by a proposition of this kind. Now, Sir, there are Gentlemen here who think that through this Bill they will get household suffrage. I understand the Member for Glasgow (Mr. Dalglish) and some of his friends are of that opinion, and they think they will get it—not now; but that this Bill is so unpleasant, so unjust, so insulting to those whom it excludes, that it will establish what is called a raw on the public feeling, and the public conscience, and that from the very hour when the first register is made up under this Bill, there will be an incessant and irritating agitation in every one of the boroughs on which it does not now confer household suffrage. That such must be the result is the opinion of some of my Friends at this end of the House. Well, Sir, these Gentlemen have not been remarkable for their activity in the Reform agitation. I know not whether the hon. Member for Glasgow and some others may have any intention to take to what in America is called the "stump," and fight this question at great public meetings throughout the country. If they have, all I can say is I hope they may find progress on this question to demand very much less labour than I have found it to demand from me during the last ten years. But now let us consider the question of household suffrage. I have always during the ten years for which I have discussed the question been in favour of household suffrage as the basis of the borough franchise; but I am bound to admit that three-fourths of those near me are not in favour of household suffrage. I doubt extremely if all the Members on the other side were to leave the House, and leave the determination to Gentlemen on this side, I greatly doubt whether it would be carried by a vote among Gentlemen on this side of the House. That being so, I am of the opinion that it is not a wise or statesmanlike policy to take a measure partly because it is bad, and because you hope its badness will be so unpleasant to the public that you hope they will rise against it and in the very next Parliament will batter at these doors and ask this House again to obstruct all its business and all its legislation in order to deal with the question you now leave unsettled. And let me tell those hon. Gentlemen this, that when the time does come that these restrictions can no longer be maintained—and that it will come I shall take no pains to deny or even to question—but when that time does come, the House of Commons will take the very step then which the right hon. Member for South Lancashire asks it to take now. It will not grant household suffrage pure and simple. It will say, as I have said before, and with reason—because, do not suppose I have no sense of what is good, and honest, and independent, and pure, in a constituency—the House will say then, as I have said before and repeat now, that it is not for the advantage of the constituencies and not for the advantage of the poorest and most dependent amongst them, but greatly to their disadvantage, that they should be placed in a condition of constant temptation by being added to the electoral roll. And therefore though I have been, and am now, in favour of household suffrage as the basis of the franchise, still I believe it would be wise—and I am afraid our population will not have so much improved by that time as to make it then unwise—to draw the line a little above the pure and simple household suffrage. ["No, no!"] I do not know who the Gentleman is who calls out "No!" I have discussed this question as much as any man in England; I have thought as much as any man about it; I have as large an interest in its being settled now, and settled well, as any other man to whom I am speaking. If you except the interest of the right hon. Gentleman the Member for South Lancashire in being historically connected with the question, I might put my historical connection with it above that of most hon. Gentlemen in this House. Though the hon. Gentleman calls out "No, no," I believe you might have settled this question by a low line, and I would recommend now a line somewhat lower than that of the right hon. Gentleman the Member for South Lancashire. In my own Bill of 1858, I proposed that the line should be drawn at the £3 rate or £4 rental. In speaking on that subject three weeks ago I said it was not necessary, if the House came to any unanimous or general conclusion, that we should make a fight for the sake of a pound in this matter; but I believe we might settle it on the principle of removing all this irritation on which hon. Gentlemen near me are calculating for going down to pure and simple household suffrage, by giving a very large and generous suffrage to the inhabitants of every town, so that in the lifetime of the very youngest man in this House any larger extension of the franchise in boroughs would never be demanded. I believe that this evening some Gentleman said he thought if it were not for the party spirit which perhaps necessarily but often unfortunately comes to mix in our debates —the Chancellor of the Exchequer I believe approves of it, except when it interferes with his own projects—if it were not for this party feeling we might easily settle this matter. The Government has brought in a certain measure. Gentlemen behind them, of course, support them—they would have supported it if it had been anything else—and some are enthusiastic, if that be not too strong a figure of speech as applied to such a measure. It is a strange figure of speech to say that any man could be enthusiastic about such a measure. But at least the President of the Poor Law Board is enthusiastic, for he made to-night the most stirring and energetic speech yet delivered in its favour. Yet not long since we all know his Colleagues, Lord Carnarvon and the right hon. Member for Huntingdon and the rest of them, unanimously agreed upon a £6 rating suffrage. What, then, can be more preposterous than that the President of the Poor Law Board should speak for nearly an hour—I am speaking of only a portion of his speech—in utter condemnation of that proposition. The right hon. Member for South Lancashire has expressed a lingering regret on his side that that Bill disappeared, and some persons not very fair in their interpretation of what he said, have spoken as if he wished for a £6 rating suffrage; but everyone who recollects what took place last year must know that that is quite impossible. The right hon. Gentleman, however, expressed a lingering regret that it had not come on for fair discussion in the House, because it was plain and intelligible; there were no dodges about it. No doubt he thought it was a question of a single figure, and as it was not one of those ingenious measures which emerged from the pigeon-holes of the Chancellor of the Exchequer, he thought the figure might be altered from 6 to 5 or 4, so that we might agree on a measure which might have given some hopes of settling the borough franchise on a reasonable basis. I take it that the President of the Poor Law Board imposes on the House when he tells us that he has a great horror of the absurd and mischievous line which the right hon. Gentleman the Member for South Lancashire proposes to draw. May I tell the Committee what is my opinion of them at this moment? I believe a majority of the House have come to the opinion, so frankly expressed by the hon. Baronet the Member for Oxford University, and other Members on that side, that whatever may be our likings or dislikings, we must bow to the great public opinion of the nation, and that of 4,000,000 or 5,000,000 of our fellow-countrymen. The right hon. Gentleman taunts me with what I have said, but there are 4,000,000 or 5,000,000, and if you did not know that and believe it I think you would not be where you are now with respect to this measure. The great majority of this House are in favour of what last year and for some years past would have been considered a very liberal extension of the franchise. I think you are all sensible that the House would be more respected, and the country would be stronger and more energetic, if 300,000 or 400,000 more voters were added to the electoral roll. If that be so, why should it not be done? Give something generously and distinctly. I do not think there is anything in the world that so offends the common sense and right feeling of a people—I am not speaking of society—as the attempt to play them any trick, the attempt to offer them as a great concession that which really, as it is presented to them, is hardly any concession at all; and I am satisfied it is a great misfortune to this question, to the House, and to the country, that the Chancellor of the Exchequer, in his anxiety to settle this matter, has tried to avoid every step of his predecessors, and in his attempt to do something original has been by no means wise. Now, I have said that I am for household suffrage, and if the right hon. Gentleman would accept the Amendment of the hon. Member for Oldham, I would not divide the House against him; and I think that on this particular point the Government ought to yield. With respect to this particular plan of the Government, the right hon. Gentleman the Chancellor of the Exchequer asked our advice, and the very first moment that we propose to give it, he says we are treating him unkindly. He says we are acting in a party spirit if we respond to his invitation and tell him we believe a certain mode of extending the franchise is better than his. I say with most perfect honesty that if I had been sitting on that side of the House, and if the right hon. Gentleman the Member for South Lancashire had been Leader of the House and had prepared a measure like this, I believe that I have not uttered a single syllable against this measure that I should not have uttered against that of my right hon. Friend. In fact, I have gone far beyond the question of party in this matter; and I should congratulate the Chancellor of the Exchequer with all my heart if it should be his lot to settle this question for the next fifty years upon a broad and generous foundation. If he should succeed in doing so it will make amends for the many mistakes of his political career, especially of the last twenty years. I am satisfied that many Members on this side of the House, I believe the majority of them, now honestly, without any drawback or reservation whatever, wish the right hon. Gentleman to accommodate his Bill to what I believe to be the real opinion not only of those on this side of the House, but also of the majority on the other side of the House. Because, bear in mind, that when on a great question like this opinions have so changed and have so advanced that the barriers of party have been thrown down, and we come with minds unclouded and unfettered to the consideration of this subject, I hold it to be absolutely impossible that there can be on this side of the House a majority of men who believe that the proposition of the right hon. Gentleman the Chancellor of the Exchequer is the wisest that can be made; a proposition which gives 28,000 new electors to Sheffield and excludes 36,000 in the borough of Birmingham. Now, Sir, I have no more to say than this: I know nothing at all of the figures of the coming division; I have not a dream nor an idea of what is to be the result of the division of to-night. I wish we could have no division, and that the Government could put their Bill into a shape that would meet the wishes of the vast majority; but whatever that division may lead to, I state this with the utmost frankness and conscientiousness, that I have not taken a step in regard to this Bill, or said a single word in connection with it, but what has been prompted by an honest and most earnest wish that now at this moment, at this supreme hour of this question, it should be grappled with with the wisdom of statesmanship, and that the measure should be offered the great body of the people with that generosity which I hope belongs, at bottom, to all the great statesmen of this country.

THE CHANCELLOR OF THE EXCHEQUER: Mr. Dodson—Sir, although we are in Committee upon the Bill of the Representation of the People there are really two policies before the House to-night on the most important portion of that measure. Although we may be formally called upon to amend the Bill which I have had the honour to introduce, we are really considering upon the borough franchise a contrary policy and a counter proposition. The right hon. Gentleman the Member for South Lancashire proposed to draw what has been literally and truly described as a hard and fast line, beneath which no person is to possess the privilege of a vote or to aim at the franchise. On the other hand, we have proposed a measure in which every inhabitant of a house, subject to conditions which are in harmony with the habits and manners of the country, which I think are approved by the rational discrimination of the people, should possess that franchise, and, at the same time, instead of drawing this hard and fast line, we have said to all those who are not now in a position to avail themselves of the privilege thus offered them by the proposed law, "We will take care that you shall have an opportunity, if you deserve it, of acquiring the right and enjoying it." Now, these are the two schemes for the settlement of the borough franchise for the consideration of the Committee to-night, for it would have been worse than idle to limit our discussion to the few and scanty words that will be formally put by Mr. Dodson for the decision of the Committee. We must take the bundle of Amendments suddenly put upon the paper by the right hon. Gentleman opposite as descriptive of the whole scheme, and that is the same scheme which was indicated by the Instruction relinquished by the hon. and learned Member for Exeter. Now, Sir, to the proposition we have made for establishing the borough franchise upon a rated household franchise, to be enjoyed by the occupier on personally paying the rate, the right hon. Gentleman has offered two main objections. He tells us, in the first place, that the principle of rating as thus applied is newfangled and alien. That surprises me, for I thought that the principle of rating was one which was consecrated by the manners and customs of this country, that it was a very ancient custom, and even in a great degree that it was one to be traced to a remote period in connection with the enjoyment of civil and political rights. It is recognised by the common law; it is recognised by the statute law of past generations, and in the age in which we live it has formed a part and portion of one of the most famous laws connected with our political history—the Reform Act of 1832. In many subsequent Acts and in many other public documents of great authority and authenticity which have been brought forward by able statesmen, this principle now described as alien and newfangled, has been adopted as the basis and chief guarantee of the arrangements proposed, and Parliament has always welcomed and sanctioned these propositions and these arrangements. Therefore, I have been somewhat astonished that the law of rating, or rather the principle of rating, should be described by the right hon. Gentleman as alien and newfangled. The second objection to the proposition of the Government made by the right hon. Gentleman is that it is of too exclusive a character. That objection is scarcely consistent with many observations subsequently made by him, and with many inferences which he afterwards drew, and with many conclusions which his friends approved and cheered, all of which seemed to express and intimate to the House that the Government measure was of a very revolutionary and dangerous character. But, according to the right hon. Gentleman, the principal objection to that measure is that its character is too exclusive. Now, I humbly think that in settling the basis of our borough franchise, the House is not to consider what the operation of the principle that we propose may immediately be, whether it is of too exclusive or too expansive a character, but whether the principle is a just principle, and whether it is one which, if adopted, will in practice generally and ultimately bring about a satisfactory state of things. Now, Sir, if this be the objection made to our scheme of establishing the franchise upon the principle of the personal payment of rates, there are also objections which are offered to the scheme of the right hon. Gentleman, which is founded upon a hard limitation—and the great objection to that is, I think, that the hard line he has proposed is one that really offers no settlement of the question. Although I listened with great attention to the speech of the right hon. Gentleman—and, indeed, I have listened with the deepest interest to all the speeches that have been made upon this subject this evening, and especially to that which has just closed—I have never heard a single argument offered to show that by adopting the principle of a certain figure, which we will assume, from the other Amendments of the right hon. Gentleman, to be £5, we shall have any security for a settlement, nor has any reason been offered us why, if adopted, it should not immediately be disturbed, and why agitation should not be immediately fomented in order to again alter the settlement come to. This is a point that has been evaded throughout this discussion. And yet, allow me to remind the Committee, this is the most material point we have to consider. It may be convenient that, in explaining to the Committee the reasons that have induced us to make our present proposal, I should recall the attention of the Committee to what occurred in the year 1859. In that year we had to consider the question of Parliamentary Reform, and, of course, the borough franchise, which was one of the most important portions of the scheme, engaged our immediate attention, and the result of our consideration of the subject was that it was impossible, with any prospect of satisfaction, to disturb the £10 franchise established in 1832, and which now prevails; for that if we came to a rental of £8 or a rating of £7 or of £6, there was no standpoint upon which we could rely, and that useless agitation for a further change must be the only consequence. We then arrived at the conclusion that it was absolutely necessary—I am now speaking of 1859—to leave it untouched, or to proceed to a point at which we should probably deal with it, something after the fashion of our present proposition. We took every adequate means of ascertaining the opinion of the country on the subject, and we were convinced from the information which reached us from all quarters that any attempt to diminish considerably the £10 franchise in boroughs was perfectly impossible. So great was the influence, and so determined was the spirit at that time of the borough constituencies of England, that any effort of the kind must have entirely failed. We therefore, in the discharge of our duty, felt that the only course which was left to us to pursue was to recommend Parliament not to deal with the borough franchise, and we, accordingly, attempted to attain the end of introducing some portion of the working classes into the constituencies—which we desired to do—by other means. But what happened under these circumstances? We met with very great opposition to the policy which we recommended, and which subsequent years proved to be accurate and sound. Hon. Gentlemen opposite called for a reduction of the borough franchise, and no person was more active in the matter than the right hon. Gentleman the Member for Calne. That right hon. Gentleman was at the time one of the most busy managers in organizing the opposition which was to force the Government to reduce the borough franchise. Well, Sir, the opposition was successful. A Resolution was passed which destroyed our Government, but which inflicted, I believe, more damage on the Liberal party than almost any step which they have taken. Then the right hon. Gentleman the Member for Calne—who was not at the time a right hon. Gentleman, but who immediately became one—was promoted to a high post in the Government.

Mr. LOWE: I beg the right hon. Gentleman's pardon, I was a right honourable then.

The CHANCELLOR of the EXCHEQUER: The right hon. Gentleman will, I believe, not contradict me when I say that he was at the time of which I am speaking at once preferred to a high post in the Government.

Mr. LOWE: I was Vice President of the Board of Trade in the former Liberal Government, and Vice President of the Committee of Council on Education in the next.

The CHANCELLOR of the EXCHEQUER: I may be permitted to explain to the Committee why it is I have made the observations which have just fallen from me. No one has ever imputed to the right hon. Gentleman that he was actuated by any improper motives in the course which he pursued in 1859. It never entered our minds that because the right hon. Gentleman opposed our Bill and supported a policy then which he has since denounced, and he afterwards attained a high post, that he was in any way influenced by improper motives. Yet, the other evening, when my right hon. Friend the Secretary for India expressed, in a manner worthy the integrity of his character, and with a sincerity which no one could have doubted, the motives by which his conduct on this question had been dictated, the right hon. Gentleman the Member for Calne did not hesitate to rise in his place and to impute to him an outrageous change of opinion, connecting that change with his preferment to high office. Under these circumstances, I am, I think, justified in reminding the right hon. Gentleman, who is very ready to criticize, but not very well disposed to bear criticism, that he should sometimes reflect a little before he makes such observations as these, and indulge in some reminiscence of his own past career. But to return to the subject more immediately under discussion. It is sometimes said that in the proposal which we make with a view to the settlement of the borough franchise, that we are interfering with, or, rather, that we are not doing justice to the compound-householders, who, according to the speech of the right hon. Gentleman the Member for South Lancashire, are the creation of the civilization of the age. Now, I will not enter into any controversy on that subject. It was not only the right hon. Gentleman the Member for South Lancashire but the hon. Member for Birmingham who thus described the Rating Acts which have produced such anomalous results. There are, however, other views entertained of those Acts than that they are the result of the civilization of the age. There are some who think that jobbing vestries, rapacious landlords, and indigent tenants may have given rise to the necessity for such legislation. We all know very well that those Acts were passed at a period which was not particularly distinguished for public spirit. Even the Small Tenements Act, which is the most recent of them, would, in the opinion of many, probably not have passed in the age in which we live. And I cannot believe, when we are laying down, on principles which I hope will prove permanent, the foundation of so high a privilege as that of electoral right, that we are to be scared from the constitutional course before us, or from taking a part that we approve of by the shadow and phantom of those Rating Acts. I cannot help thinking that if we legislate in the spirit which Her Majesty's Government recommend, and if this Bill is allowed to pass into law, many of the inconveniences which you now foresee will, as a necessary consequence, disappear. The men to whom this measure will open the franchise will, it seems to me, be actuated by higher motives than those for which you give them credit, will adapt themselves to the altered circumstances with which they will have to deal, and will not allow their rights to depend on any mere accidental arrangement. If our principles be sound those men will assert their sway, and will overcome those difficulties in their path on which you now so much dwell. What we have attempted in the new clause which we have laid on the table will very much soften and mitigate, even by the confession of the right hon. Gentleman opposite himself, those difficulties; and if our proposals be inconvenient in their character, and would tend to unjust consequences, would not similar inconveniences, I would ask, be experienced by that multitude which would be admitted under the fixed, hard line which the right hon. Gentleman himself proposes? Surely, under that £5 line there would be many more thousands of compound-householders or *quasi*-compound-householders by whom great inconvenience would have been endured than could be by possibility inconvenienced by our arrangement. Throughout this discussion that view of the case has been entirely omitted. Two things are always assumed—that under the £5 line no one who might fairly aspire to the franchise would be excluded from its exercise, and that with all the openings which we offer to the compound-householders not one of them will avail himself of the privilege placed within his reach. Can any one really believe that that would be the case? Under our Bill you will get all those men whom you say you wish to get on the register. If there be men who take no interest in the acquisition of political privileges, of course, they will not exert themselves to obtain them, and it is not desirable that they should, because persons without any decided character, or entirely engrossed in the lowest pursuits of life, with no wish to improve their condition, are not those who would reflect credit on the electoral body. That, however, is not, in my opinion, a just description of the majority of our countrymen, and if you do keep out many men who may not qualify themselves for the franchise under the constitutional conditions which we propose, who may be indigent, of a wandering character, or wanting in all those civil virtues of industry and order which you are anxious to promote, what harm will be done? Your object is to obtain the worthy, and if the unworthy are alone excluded we can do no harm. Then it is said, what are these securities—you cannot for a moment hope that they will continue to exist. There will be a great agitation against them. What, then, will be your position? It really is a mistake to call those checks and securities; and if you want to know what is to preserve and guard these securities, I will tell you why they will not be impugned. If you want to keep those securities, as you call them, in vigorous existence, you will be able best to do so by means of the people who by submitting to the conditions which we impose, in order to acquire the privileges which we throw open to them, will constitute their most effectual safeguard. When they find that by the personal payment of rates and by residence in a town for a certain time they can secure for themselves the franchise they will be disposed to look with extreme jealousy on those who do not conform to those conditions, and who do not lead those regular lives being placed in the same position. What has happened since the rate-paying clauses of the Reform Bill of 1832 received the sanction of Parliament? Agitation against them has prevailed. Demagogues have made use of those clauses as a subject on which to excite the country. There have been organized operations in certain towns against those clauses. They have, nevertheless, not been abolished, because the common sense of the great majority of the people who pay rates under those conditions has resolved to maintain them, inasmuch as they are barriers against those who may otherwise without pains attempt to share their privileges. Therefore, Sir, I think that that charge against what are called the securities is perfectly fallacious, that it is formed in ignorance of our countrymen, and that there is no foundation for any apprehension that if the franchise is granted on these conditions, these conditions will not be observed and guarded, and will not be observed and guarded by the very persons who, by submitting to those conditions, obtain the privileges which they prize. Then the hon. and learned Gentleman the Member for Exeter made some remarkable observations with regard to this particular topic. He told us that no one could be a stronger advocate than he was for household suffrage; but the misfortune was that the country was not yet prepared for it, and having thus favoured us with the moral of his political creed he indulged in a criticism upon this measure and said, "These restrictions which you are proposing will ultimately break down, and then you will have household suffrage." But how inconsistent is the criticism with the creed. The hon. and learned Gentleman looks upon household suffrage as the perfection of policy, and regrets that the country is not yet prepared for such a measure; and surely, therefore, when a scheme is brought forward which for a certain time prevents household suffrage coming into operation in consequence of restrictions which in time will cease and break down, the hon. and learned Gentleman ought to congratulate us upon our wise and consummate policy in framing a temporary arrangement which will allow the country to enjoy to a certain degree household suffrage till it is prepared for it to the full extent. Well, Sir, there was one observation made by my noble Friend the Member for Stamford (Viscount Cranbourne) which certainly was severe upon the measure which we propose; but it appeared to me that my noble Friend proved too much. The arguments employed by my noble Friend were certainly very good arguments against the Bill; but they were no less arguments against all constitutional government. My noble Friend said, "You are increasing the suffrage, you are lowering the franchise, you are conferring power on the multitude. We know what will happen. You will have electioneering agents and a variety of political combinations who will avail themselves of the materials you have supplied them with, and the consequences to society will be most dangerous. You will have agitating leaders and all kinds of confederacies." It is all very true. Demagogues and agitators are very unpleasant, and leagues and registers may be very inconvenient, but they are incident to a free and constitutional country, and you must put up with these inconveniences or do without many important advantages. The arguments of my noble Friend, therefore, are not, I think, so much directed against this Bill as against any scheme which would extend political privileges to any portion of the nation. Now, Sir, I shall not notice some remarks made by the hon. Gentleman the Member for Stoke-upon-Trent, because he evidently expected that I was going to make a very elaborate reply to what he said. I assure him that I listened with the greatest pleasure to the invectives which he delivered against myself. His style is greatly ornamental to discussion, but it requires practice. And so far as my hon. Friend displayed his talents to-night, I listened with the greatest satisfaction. All his exhibitions in this House are distinguished by a prudery which charms me, and when he talks of Asian mysteries I may, perhaps, by way of reply, remark that there is a Batavian grace about his exhibition which takes the sting out of what he has said. Now, Sir, perhaps I may be allowed to put before the House what I believe to be an impartial account of the relation of the Government to the House with respect to their Reform Bill. First of all, then, I would notice our relations with the right hon. Gentleman opposite (Mr. Gladstone). Now the right hon. Gentleman opposite is a candidate for power, and no man has a greater right to be a candidate for power. The right hon. Gentleman is an opponent with whom any man may be proud to have to contend. I know nothing more legitimate than the ambition of such a man, and I am sure I bear the right hon. Gentleman no ill-will, or as little ill-will as a man can bear, for the efforts which he may make to change his position and to cross from one side of the House to the other. But I am sure the right hon. Gentleman will not be offended if I, without passion, but I am sure clearly express to the House, what I believe to be his position with regard to the Government and this question. I can quite understand how the right hon. Gentleman should be so very emulous to deal with this important question with which Her Majesty's Government have felt it their duty to grapple; but the right hon. Gentleman seems to forget, what he ought to remember. The right hon. Gentleman has had his innings. He has dealt with the subject of Parliamentary Reform very recently, and in this House—in this House elected under the auspices of a Government of which he was a Member—and he introduced a measure with the advantage which we have never had, of being supported by a large majority. I do not begrudge the right hon. Gentleman those advantages; but I may still remind him of them, and I say under these circumstances we have a right to expect from the right hon. Gentleman that there should be no great eagerness to make party attacks. I cannot but view the Amendments proposed by the right hon. Gentleman in this light. They are not Amendments to our Bill. They are counter propositions. Now, some remarks were made with reference to a letter—the character of which was evidently entirely misunderstood by the hon. Gentleman who made those remarks. The letter was not addressed to the House of Commons, but to those with whom I am accustomed to act in public life. It was exactly such a letter as hon. Gentlemen on both sides of the House are constantly in the habit of receiving. It may be described as a monosyllabic word, the instrument with which the races of Nemea have been won. The right hon. Gentleman suddenly placed upon the paper a declaration of war to the knife, and it was thought desirable that our Friends should be addressed, not in the usual hand but by my own, because it was thought that that fact would, perhaps, induce them to read the letter they received. I acknowledge the right hon. Gentleman's position and talents—that he is perfectly justified in attacking the Government; but do not let us misunderstand the motive or the conduct of the right hon. Gentleman. Nothing can be more legitimate. It is a party attack, and the endeavour to parry it as a party attack is in accordance with the tactics which were understood to be adopted in the House on this subject. But as regards the House of Commons, generally speaking, I wish, on the part of Her Majesty's Government, whatever may be the decision to-night, whatever may be the consequences of this division, to say that in dealing with this question Her Majesty's Government have never for a moment swerved from those sentiments which, with the full concurrence and desire of my Colleagues, I have often expressed in this House—namely, that we are most anxious to co-operate with the House in bringing this question of Parliamentary Reform to a satisfactory settlement, and although we could not swerve with respect to the borough franchise from those principles which we regarded as vital—namely, personal payment of rates and residence—still, with regard to almost every other point which has been mentioned in our discussion, we are most anxious, in Committee, after a fair deliberation, and after an interchange of opinion, to adopt that course which the House in its wisdom may think most expedient and desirable. The right hon. Gentleman and the hon. Member for Bedford (Mr. Whitbread) have expressed some astonishment at the course which the Government were pursuing, after the concessions they had made. Now, Sir, I and my Colleagues are conscious of the heavy task we have undertaken, and how much we must depend upon the assistance of the House in order to bring it to a happy conclusion; but I confess, that I really am at a loss to understand what are the concessions which the right hon. Gentleman and his Friends have made us. I have been accused one night of giving up everything, and on the next of never having given up anything at all. I know very well that there was an important point—not a fundamental principle, but still an important point—in our original plan which I relinquished at the general desire of both sides of the House, and particularly at the desire of my own Friends, there is no doubt about that; but that was a concession from the Government. However, I am sure we shall be most grateful for any concessions which we may receive; but, at the present time, we are not conscious that such gifts have been bestowed on us. Now, whatever the course of this division, I wish the House thoroughly to understand what have been from the first and are now the feelings of the Government with reference to this Bill. As far as the borough franchise is concerned, I must repeat, at the risk of wearying the House, what I have said from the first, that the franchise in our plan is founded upon principles from which we cannot swerve. And the House has always in its discussions accepted that; nor is it a novelty when we say that personal payment of rates and residence are the only conditions upon which we consent to this arrangement of the borough franchise. But I have in my mind no other point of this description at present. It would require a considerable amount of time to form an opinion on the immense number and great variety of Amendments, suggestions, and propositions upon the paper at the present moment; but if I and my Colleagues had an opportunity, we would consider all those Amendments and propositions which hon. Gentlemen have placed upon the paper during the holydays with a most anxious desire to change and modify and adapt them to any practical course which may be consistent with the general principle of our measure, and we are perfectly prepared to meet the House in that spirit. We have been told that the lodger franchise has been conceded. The right hon. Gentleman says, "I have pledged myself to introduce a lodger franchise," but really I am obliged to correct him, because I have not pledged myself, and for a very good reason. I believe that to introduce such a lodger franchise as would satisfy the House and the country is one of the most difficult things in the world. All I did say was, and I was careful in saying it, that if a sensible and well-considered proposition were brought forward we would candidly meet it, and I am sure that if it were established in argument it would be adopted by the House. But I have had a great many communications upon the question of the lodger franchise, and every day I find more difficulty in the subject. I find it a very difficult subject. The right hon. Gentleman who makes so much of the lodger franchise, must himself be conscious, after being reminded of his language last year, when he was so very strong in his expressions, and informed the House that it was a small matter which chiefly concerned the middle classes —the right hon. Gentleman must himself feel, on reflection, that the matter is not so easy as he has stated. I have received many deputations of late, and among them has been one from a society which is very much under the patronage of the hon. Member for Birmingham—the Reform League. The members of that deputation spoke to me upon the subject of the lodger franchise, and so far as I can recollect, though my noble Friend (Lord Stanley), who was with me, will correct me if I am in error, I distinctly understood from them that they wanted a lodger franchise. But when I asked what residence and value should be the qualification, they looked upon the observation as an insult; so that was not at all encouraging. Many hon. Gentlemen are as well informed as I am on this matter; but I say this is very valuable information to the Minister or Member who is projecting a lodger franchise, which is peculiarly for the working classes, and especially for the working classes in London. If value and rating are not to be admitted as qualifications to a lodger franchise, because they would be an insult, I hardly hope we shall be able to carry a lodger franchise such as would meet with the views of all. But let the proposition be made; let it be brought forward by any Gentleman who is thoroughly master of the subject and can bring it fairly before the House, and he will find from me a kind reception for the lodger franchise, and I shall be very glad if he can succeed in bringing forward a proposition satisfactory to the country and the

House. Then with regard to the county franchise and other points upon which questions have been put to me across the House—I object to settling matters of that kind by question and answer across the House, without the advantage of discussion. Take the question of the compounders; gentlemen rise and ask, do you intend to do this or that? I must answer that the question of the compound-householder is one of great difficulty which requires much debating; and the speeches which have been delivered to-night must have convinced the House that it is a question which demanded complete discussion in Committee. Again, I have been asked what we mean to do with the proposition of voting-papers; I reply that we wish to consult the feeling of the House of Commons upon that matter; and if the House thinks fairly of this and other points, I shall, with the consent of my Colleagues, redeem the pledge which I gave, and give those points the consideration they deserve. But, above all, let us have fair discussion and deliberation; that is the spirit in which Her Majesty's Government wish to treat this question with regard to the House. It is a disagreeable thing to distinguish between the House generally and the right hon. Gentleman opposite, to whom I always wish, as the head of a party, to pay every honour; but this is a subject of a peculiar character; it has gone through peculiar phases already during the course of this year, and it is my duty to distinguish between the House generally and the right hon. Gentleman, though he is the Leader of the party, because between the House and the Government upon this question of Parliamentary Reform there was an understanding that we were mutually to co-operate, and by mutual confidence and co-operation to bring about if we could a fair measure of Reform. That is the undertaking which I on the part of my Colleagues am perfectly ready to fulfil, and to none of the suggestions which hon. Gentlemen opposite have put upon the paper will we refuse the most ample consideration. We will give them all the consideration they deserve, with the anxious desire to adapt and so modify them as to chime in with the principles of our Bill. But when the right hon. Gentleman comes forward suddenly with a counter proposition to the main proposals of the Government it is impossible for me to close my eyes to the nature of that movement; I must say to the right hon. Gentleman that I cannot in any way agree to the propositions he has made; they would entirely alter and would completely supersede the policy which we recommend the House to adopt; and therefore I trust the right hon. Gentleman will clearly understand that in the distinction which I have made that I have not done it merely in the heat of debate, for I feel in no heat at this moment. I think, on the eve of an important division, that there should be a clear and honest understanding between the Government and the House of Commons upon this matter of the Reform Bill. We have acted entirely in conformity with our representations to the House; we believe we have experienced from hon. Gentlemen true candour and generous consideration, and we are anxious at this moment cordially to co-operate with the House of Commons in the settlement of this question.

Mr. GLADSTONE: I have no complaint whatever to make of the latter part of the speech of the right hon. Gentleman, in which he has referred so largely to myself, either in point of courtesy or of candour; and with regard, in particular, to one especial assurance which he conveyed that it was from no personal ill-will that he entered upon the subject, I venture in return to assure him that I listened to the declaration with feelings of most implicit belief. The right hon. Gentleman and I have often been in sharp conflict; it is possible that we may be in sharp conflict again, but at no period, as is well known to my friends, have I ever charged him or suspected him of being actuated by feelings of personal animosity. Having thus, I hope satisfactorily, disposed of the explanation as regards me personally, I hope I may be permitted to comment upon the singular declarations that have proceeded from the right hon. Gentleman. He says he has had a clear understanding with the House, and that he has given explicit assurances to the House, and that by those assurances he is bound to entertain fairly and to consider candidly any suggestions that he may receive from Members of the House provided they do not proceed from the head of the party of Opposition. Now, Sir, I do not for a moment question the title of the right hon. Gentleman to decline to entertain any suggestion proceeding from myself. But the right hon. Gentleman, if he chooses to dignify me with the title, of which I am very unworthy, of Leader of the Opposition in this House, must know that I do not hold that post by my own choice, and that if there be one post in this country which more than another is only to be held by the free voice of those who are concerned it is that. Therefore, I confess that after the candid statement of the right hon. Gentleman I am at a loss to perceive in what sense it is that, addressing himself to those who sit upon these Benches, and who are supposed by the public outside of these walls to be a party composed of the majority of the House — to be a party capable of directing its proceedings—I do not, I say, well understand in what sense it is that the right hon. Gentleman proposes to fulfil his pledges to that portion of the Members of this House by declaring that he is ready to entertain their suggestions, provided none of these suggestions are offered through the person whom they may honour with their choice. ["No!"] Well, Sir, if I have misunderstood the right hon. Gentleman, I own I am entirely at a loss to divine the meaning of those remarkable sentences—not to be mistaken or easily forgotten—in which he drew his broad and clear distinction between myself and the Members on this side of the House. However, Sir, I thank the right hon. Gentleman for that, as for every candid declaration. Perhaps I feel with him that what is now going on may throw great light upon the subject which he has opened, and may serve to show me at least how far it is in my power to contribute anything or nothing at all to the settlement of Parliamentary Reform in the position which I hold. Sir, the right hon. Gentleman says this is a party attack; and it is not unnatural that his friends should cheer that declaration on his part. But I want to know what we are to do in a case in which we approach the discussion of an important portion of the right hon. Gentleman's Bill, and we find ourselves separated, by all the precedents of our conduct, and by our deep conviction, from the principle on which he proposes to proceed. In what manner, I want to know, are we to give effect to our convictions other than that which he calls laying before the House a counter-proposition, and why, if we so lay before the House a counter-proposition, is it to be assumed by the right hon. Gentleman that conviction on our part has nothing to do with the matter, and that that which we really aim at is to give effect to our eager anxiety to drive him from office? Sir, I must say this, that charges of this kind ought at all times to be lightly borne by public men. But I think that we who quitted office in the month of last June, at a time when we well knew that a majority of this House were desirous that we should retain it, we, of all other men, may receive that imputation, not, indeed, with the scorn with which the right hon. Gentleman the President of the Poor Law Board abounds. ["No!"] Are Gentlemen aware that I am quoting the expression of the right hon. Gentleman himself? Not, indeed, I say with the scorn with which the President of the Poor Law Board abounds. [An hon. MEMBER: He does not abound with it!] I thank the hon. Member for his interruption and contradiction; but I had the advantage of hearing the President of the Poor Law Board in a very able speech, and as I hope the time of the House will not be wasted in idle altercation of this kind about scorn abounding or not abounding, I shall merely say we may receive such imputations as those to which I was referring with a modest yet very firm denial. Well, the right hon. Gentleman challenges what he calls my plan, which he says I have laid before the House. And I would say a few words on the assumption that it is before the House. He holds that it is impossible by drawing a hard line to settle this question; and in his historical review he wishes to deprive me of any advantage which I could obtain from his own authority. He tells us that in 1859 the Government of Lord Derby advisedly came to the conclusion that they could not venture to recommend such a line, and, consequently, they did not propose a lowering of the borough franchise; but has the right hon. Gentleman forgotten that, in 1859, after the General Election, while he was yet in office, and when the question of retaining office depended, as he thought, upon his words, he came forward in the place which he now occupies and declared his readiness to lower the borough franchise? Or, if the right hon. Gentleman's memory extends only to that portion of 1859 that went before the election, and not to that which followed it, has he forgotten what happened only six weeks ago, when, proposing from that Bench a Bill for the settlement of the question of Parliamentary Reform, he did lower the franchise to a certain figure, and he did tell us also this, that although our plan of last year had been founded only on an expedient, the plan which he then proposed differed from ours, inasmuch as his plan for lowering the borough franchise was founded on a principle? Surely, the right hon. Gentleman must count upon the shortness of our memories with extraordinary confidence if he thinks that arguments and statements of that kind can weigh with the House? The right hon. Gentleman has, however, set before us pretty clearly the position in which we stand with reference to the important portion of the Bill which concerns the borough franchise. And, so far, I do not understand him to draw distinctions between other Members of the House and myself. I do assure him that if I could believe that he does not object to anything in this proposal but the name of the man who proposes it I would willingly part with my responsibility for it to any man whom the right hon. Gentleman might prefer. But I think the right hon. Gentleman has told us distinctly that this principle of personal rating and that of what he calls adequate residence—that is, a residence for two years, as expressed in his recent letter—are vital proposals of the Bill from which he is not prepared to depart. Now, if that be so, it is as such that we must treat them. Now, a question was put to-day by my hon. and learned Friend the Member for Sheffield with so much confidence as regards the House, and so much comfort and satisfaction evidently dwelling in his own mind, and the challenge accompanying that question was so bold that it would be unpardonable in me not to notice it. First, let me say, in passing, that I do not admit to my hon. and learned Friend that there is any circumstance connected with this Motion which ought to lead to the conclusion that it would delay the settlement of the question of Reform. My hon. and learned Friend may have his own opinion on that point; but do not let him treat it as an admission on my part or on that of those who sit near me. "But," says the hon. and learned Member, "why, because a man is the tenant of a compounding owner, should he be allowed to pay only 15*s.* instead of the 20*s.* which would be paid by him if he were a ratepaying householder?" And that I must say was the sole argument which he advanced. Does he want an answer? I will try to give him two. And the first I take from the speech of the hon. Gentleman the Secretary for the Treasury, who entered in the hearing of my hon. and learned Friend upon this portion of the subject, unfortunately, at a time when the House was very thin, and who clearly explained that the difference of 25 per cent which is granted to the landlord under the Small Tenements Act is due to the commission which he receives for the collection and for the risk which he runs of non-recovery, and consequently that the compound-householder pays to the landlord not 15*s.* but 20*s.* I believe that the Secretary to the Treasury is very near the truth. But suppose he were not at all near the truth; suppose it were the fact that there was a state of the law in this country under which some portion of the ratepayers of the kingdom were unduly favoured at the cost of the other ratepayers, what, in the world, has that to do with the question of the franchise? Is it a good law, or is it a bad law? If it is right that men should be allowed to compound, let them not on account of paying this compounded rate be debarred from the franchise. If it is wrong that they should be allowed to compound, alter your law, repeal your compounding Acts, and redress and remove that which is a great economic injustice, whether you connect it with the franchise or not. My second answer, therefore, to the hon. and learned Member for Sheffield, is that his objection is totally irrelevant to the question of the franchise, and ought to be dealt with upon grounds entirely apart from any political discussion. Well, the right hon. Gentleman the President of the Poor Law Board and the right hon. Gentleman who last sat down have referred to the question of the lodger franchise; and the latter states that certain gentlemen have informed him that it would be an insult to the working man if the lodger franchise were to be connected either with residence or with value. Now I, Sir, had the advantage of seeing, I believe, those same persons, and I must say that, so far from making any such representations to me, their representations appeared to be in a directly opposite sense; and, as the right hon. Gentleman suspects me, whether with reason or without, of being more in their confidence than himself, I must demur to his statement. Father of the lodger franchise the right hon. Gentleman may be; but there was a great personage of antiquity, the great head of the Roman mythology, who was for nothing so famous as this, that he devoured and made away with his own children. I very much fear that something of this kind may be, or may have been, the case with regard to the right hon. Gentleman and the lodger franchise. But the right hon. Gentleman says that I made light of the lodger franchise. Where does he find those words? In the first place, let me say to the right hon. Gentleman the President of the Poor Law Board, that when we brought forward our Bill of last year, we had not all the information as to the circumstances or the feelings of the working classes which we now possess. But the right hon. Gentleman and those who act with him are the true fathers of the agitation which now prevails—they who, as I think, by unwise and unfortunate resistance produced the feeling that now spreads through the country from one end to the other—they at least have been able to secure us this advantage, that we know more of the desires and dispositions of the working classes at this time than we did twelve months ago. But at what time did I state that the lodger franchise—which, it must be recollected, was in our Bill—was one of the provisions of that measure with which we could consent to part? It is true that I never was so sanguine as others were as to the number who would be enfranchised under that provision. At this moment I do not believe that the number to be enfranchised in that mode will be nearly as great as many of the working classes imagine. But a lodger franchise now, as then, is vital to the settlement of this question. And the right hon. Gentleman will not be able to throw on the House and the Members of this House the responsibility of dealing with this essential portion of the subject. He must produce in the Bill his own plan for a lodger franchise, and without that he cannot have the smallest hope that this measure will afford satisfaction to the working classes. I wish the House—especially the Benches behind the Government—had been full at the time when the hon. Gentleman the Secretary to the Treasury was addressing the House and when he made his pathetic and earnest appeal to the advocates and friends of household suffrage to support this Bill, when he deprecated the conduct of my hon. Friend the Member for Bradford, casting on him this reproach—"What! you an advocate of household suffrage, and come forward as an opponent of this Bill? Do you not see that if you support this Amendment you drive household suffrage to a greater distance than ever?" I wish the House generally, and my noble Friend the Member for Haddingtonshire especially, had had the benefit of hearing one of the most animated, one of the most impassioned, and evidently one of the most sincere appeals that has proceeded from any person upon the Treasury Benches during any part of this discussion. The right hon. Gentleman says that the plan I proposed aims at drawing a line downwards below which persons should not be permitted to have the franchise, and also at drawing a line upwards with a view to equal enfranchisement. But a great distinction is to be drawn between the two propositions. I am in favour of drawing a line downwards; and I think my hon. Friend the Member for Birmingham and other Gentlemen have given good reasons why, in the present state of this country, it is still desirable to draw such a line. But the drawing of this line is matter of time and circumstance. The extension of the franchise according to the capacity of the people is not an evil, but a good. The enlargement of the pale of the Parliamentary constitution which multiplies the numbers of those whose will, whose thought, whose intelligence, whose education is directly to be interested in the political action of the State—all this is an advantage to the State. All that is requisite is that you should not proceed so fast as to outrun the competence and to disregard the condition of the people. And if the condition of the people were such in point of education and independence as would lead to their free and intelligent exercise of the suffrage with a full independence of character, I should not be the man to say—draw any line at all. The line stands on the circumstances of the time; and the other portions of the plan which I venture to propose stand upon a principle. The principle which I ask the House to recognise is one of permanent application; it is one that never can be wrong. It is this—that those persons whom Parliament recognises as of a class and condition of life fit to be invested with a title to the franchise shall, so far as depends on Parliament, have equal access to the equal enjoyment of those rights. The right hon. Gentleman tells us it is impossible to think of a settlement if you draw a line—admitting the classes more independent and more educated, and excluding the classes less independent and less educated. But he thinks he can bring about a settlement by drawing the line among persons of the same class, by giving one man the franchise and refusing it to another, though the social position of the two may be exactly the same, and the only difference between them that arising from the fact that one lives at the side of a street in which the Small Tenements Act is in operation, and the other on a side where it is not in operation. ["Oh, oh!"] That is no exaggeration. Are there not ninety-eight boroughs of this country in which such a state of things exists? But we are told that those compound-householders can enfranchise themselves. Sir, it appears to me, on examining the clauses of the right hon. Gentleman, that you may have those compound-householders enfranchised by shoals through the agency of others. That I do not deny. But it will not be by the parish officer. He cannot change the status of the compound-householder. It will be by the interference of political agents. Nothing can be easier in all the small boroughs of the country where there are 300, or 400, or 500 compound-householders than at a cost very moderate—when the scale on which many of our election contests unfortunately are conducted is taken into consideration—to make arrangements for putting a large number of those compound-householders on the register under circumstances which will not render the ratepaying very burdensome to them. I do not deny that this might be done; but that is not the enfranchisement we want; and if this is the remedy proposed, it is worse than the inconvenience it is intended to remove, because it would spread the reign of corruption through those boroughs in a way and to an extent which it would be impossible to detect. I object to this system. I have received no answer to the objection I made that the franchise would be extended by political agency; I have received no answer to my objection that you would establish inequality between one town and another; I have received no answer to my objection that you would establish an inequality between one portion of a town and another portion of the same town; I have received no answer to my assertion that, above all, you would establish an inequality between men in the same social position by setting up a fictitious and artificial distinction. With that view of personal rating, the right hon. Gentleman will hardly be surprised if I say that no Bill founded on the principle of this Bill can settle this question, nor deserve the acceptance of this House. It may be that under pressure the right hon. Gentleman may be able to lead his Colleagues one step after another, removing one restraint after another in order to meet objections from various quarters, and that in this way he may mitigate the evils of the Bill. How far that may go I cannot say; but I must decline all responsibility in respect of a measure which, aiming at a settlement of Parliamentary Reform, introduces into that settlement the poison of a principle so pervading the whole measure that it is hopeless to expect that the Bill will receive the acquiescence of the public mind. We have heard a great deal of the evils which would arise from fixing a limit; but I beg to tell the right hon. Gentleman that, limit or no limit, my objection to personal rating remains the same. If we are to travel to household suffrage—and the right hon. Gentleman has done much, I admit, to make it possible that we will soon arrive there—let us look at the matter in the face, and ask ourselves whether it is desirable we should travel to it through the medium of legislation which, for the short time it can possibly endure, will be nothing more nor less than a political blister on the country. Has the right hon. Gentleman considered the consequences which must result from keeping alive such feelings as this Bill will give rise to? Have hon. Members considered that they may rouse the popular mind with reference to a particular question, while they may have no means of securing that the excitement should be confined to the settlement of that question? Now, I desire to be free from the responsibility involved in that question; and, with the permission of the House, I will read a few words, the production of a man of great ability, Mr. Harrison, written in one of the periodicals not very long ago. He says—

> "A vote may be everything or nothing. Its value wholly depends upon the state of the political atmosphere. Universal suffrage in an easy time would produce far less positive results than a narrow franchise in an excited time. It is the heaving of mind and strain of purpose which produce the end, and not the machinery of its expression. The effort necessary to carry out a legal change produces far more results than the change itself."

The excitement of the public mind connected with the passing of an injudicious law is an evil for which I do not wish to be responsible. If we are to travel to household suffrage, it may be that the present Government may be its immediate authors. I am perfectly convinced that the evils, whatever they might be of that state of things, will be neutralized and checked by the good sense of the country; but I will not consent to travel to it by a road which would be a way of strife and of disturbance, and which would take away from the nation at large the sense of gratitude for the boon received, and would lead us, after a long period of anxiety and agitation, and through a long course of bitter controversy, to a goal which it is vital to the public interest that we should reach by a peaceful and by a liberal course of procedure.

SIR HENRY EDWARDS: Before the Motion is put perhaps I may be allowed to ask a question touching the honour of a Member of this House. I am very sorry to have to do so; but I feel in honour bound to take this step after what passed in the early part of the evening. It will be in the recollection of the House that in the early part of the evening I put a question to the hon. Member for Nottingham, and an answer was given which was not satisfactory to myself. It reflected upon the honour of an absent Friend of mine who is not here to answer for himself. Therefore, not wishing that the hon. Member for Nottingham should be misrepresented, or that the conduct of my hon. Friend should go forth to the world as improper, I will put this question to the hon. Member, and I trust he will give me a straightforward and candid answer. The hon. Member for Nottingham stated that he had in common courtesy given the hon. and gallant Member for the county of Dublin notice that he was about to bring forward his case before the House. I beg to know how and when the hon. Member did give such notice, for no notice had been received at the office of the hon. and gallant Member for the county of Dublin or at his private residence when the hon. Member for Nottingham brought the matter forward?

MR. BRAND: Perhaps I may throw some light upon this matter. My hon. Friend the Member for Nottingham asked me to inform my hon. and gallant Friend the Member for the county of Dublin that he was about to bring forward the matter to which the hon. and gallant Member for Beverley referred. I told my hon. Friend I should be happy to inform my hon. and gallant Friend the Member for the county of Dublin. I endeavoured to find him; but I am very sorry to say I failed in doing so. I was not aware until my hon. Friend the Member for Nottingham sat down, that my hon. and gallant Friend the Member for the county of Dublin had met with the accident that I am very sorry to have heard of. I sincerely regret the circumstance that the matter has been brought under the notice of the House in the absence of my hon. and gallant Friend, and I am sure sure that the hon. Member for Nottingham, if he had known of the accident, would not have brought the matter forward.

SIR HENRY EDWARDS: I wish to put another question. Had the hon. Member for Nottingham, before he rose to answer my question, earlier in the evening, ascertained whether the hon. Member for Lewes had communicated with the hon. and gallant Member for the county of Dublin?

MR. OSBORNE: I am very much obliged to the hon. and gallant Gentleman. I do not know by the by whether he is gallant. I am obliged to him for the mild, gentlemanlike, and courteous way in which he put the question. I shall endeavour not to imitate his manner exactly, but to give a straightforward answer to his question. On entering this House about five minutes past four o'clock, this statement was put into my hand. [Colonel STUART KNOX: Whom by?] Really, the hon. Gentleman is inquisitive; but I will satisfy him privately. I had not time to see the hon. and gallant Member for the county of Dublin. I am not in the habit of doing these things. The hon. Gentleman will find, if he chooses to prosecute the matter, that I did not find the hon. and gallant Member; but I sent to the hon. Member for Lewes (Mr. Brand), begging that he would communicate with the hon. and gallant Member for the county of Dublin. I thought they would necessarily meet in the Lobby, and I was not then aware of the accident that happened to him. Had I known it had happened I should never have put the question or brought the matter forward. Had I known it I should have dropped the matter altogether.

SIR HENRY EDWARDS: I stated it.

MR. OSBORNE: I never heard you. I am sorry for what occurred under the circumstances.

MR. DILLWYN rose to speak, but was met with cries of "Order!"

THE CHAIRMAN: When the hon. and gallant Member for Beverley rose to put a question I thought he was about to put a question which had some connection with the business immediately before us.

This, however, is not a subject which the Committee can now proceed to discuss.

Question put.

The Committee *divided:*—Ayes 289; Noes 310: Majority 21.

AYES.

Acland, T. D.
Adair, H. E.
Agar-Ellis, hn. L. G. F.
Agnew, Sir A.
Allen, W. S.
Amberley, Viscount
Anstruther, Sir R.
Antrobus, E.
Armstrong, R.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Baring, hon. A. H.
Barnes, T.
Barron, Sir H. W.
Barry, C. R.
Baxter, W. E.
Bazley, T.
Beaumont, W. B.
Berkeley, hon. H. F.
Biddulph, Colonel R. M.
Biddulph, M.
Blake, J. A.
Bonham-Carter, J.
Bouverie, rt. hn. E. P.
Bright, Sir C. T.
Bright, J.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Buller, Sir A. W.
Buller, Sir E. M.
Butler, C. S.
Buxton, Sir T. F.
Calcraft, J. H. M.
Calthorpe, hn. F. H. W. G.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hon. C. R.
Carnegie, hon. C.
Castlerosse, Viscount
Cave, T.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, M.
Cheetham, J.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clay, J.
Clement, W. J.
Clinton, Lord E. P.
Clive, G.
Cogan, rt. hn. W. H. F.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Colthurst, Sir G. C.
Colvile, C. R.
Cowen, J.
Cowper, hon. H. F.

Cowper, rt. hon. W. F.
Cranbourne, Viscount
Craufurd, E. H. J.
Crawford, R. W.
Cremorne, Lord
Crossley, Sir F.
Davie, Sir H. R. F.
De La Poer, E.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Devereux, R. J.
Dilke, Sir W.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunlop, A. C. S. M.
Earle, R. A.
Edwards, C.
Eliot, Lord
Ellice, E.
Enfield, Viscount
Erskine, Vice-Ad. J. E.
Esmonde, J.
Evans, T. W.
Ewart, W.
Eykyn, R.
Fawcett, H.
Fildes, J.
Finlay, A. S.
FitzGerald, Lord O. A.
FitzPatrick, rt. hn. J. W.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Foster, W. O.
Fort, R.
Fortescue, rt. hon. C. S.
Fortescue, hon. D. F.
Gaselee, Serjeant S.
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. G.
Goldsmid, Sir F. H.
Goldsmid, J.
Gower, hon. F. L.
Goschen, rt. hon. G. J.
Graham, W.
Gregory, W. H.
Grenfell, H. R.
Greville-Nugent, A. W. F.
Greville-Nugent, Col.
Gray, Sir J.
Grey, rt. hon. Sir G.
Gridley, Captain H. G.
Grosvenor, Capt. R. W.
Grove, T. F.
Gurney, S.

Hadfield, G.
Hamilton, E. W. T.
Hankey, T.
Hanmer, Sir J.
Hardcastle, J. A
Harris, J. D.
Hartington, Marquess of
Hay, Lord J.
Hay, Lord W. M.
Hayter, Captain A. D.
Headlam, rt. hn. T. E.
Heathcote, Sir W.
Henderson, J.
Heneage, E.
Henley, Lord
Herbert, H. A.
Hodgson, K. D.
Holden, I.
Holland, E.
Hope, A. J. B. B.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Hubbard, J. G.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Jackson, W.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kearsley, Captain R.
Kennedy, T.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E
Laing, S.
Lawrence, W.
Lawson, rt. hon. J. A.
Layard, A. H.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Locke, J.
Lowe, rt. hon. R.
Lusk, A.
M'Laren, D.
Maguire, J. F.
Marjoribanks, Sir D. C.
Martin, C. W.
Martin, P. W.
Matheson, A.
Merry, J.
Milbank, F. A.
Mill, J. S.
Miller, W.
Mills, J. R.
Milton, Viscount
Mitchell, A.
Moffatt, G.
Moncreiff, rt. hon. J.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
More, R. J.
Morris, W.
Morrison, W.
Murphy, N. D.
Neate, C.
Nicol, J. D.
Norwood, C. M.

O'Beirne, J. L.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
Ogilvy, Sir J.
Oliphant, L.
O'Loghlen, Sir C. M.
Onslow, G.
O'Reilly, M. W.
Osborne, R. B.
Otway, A. J.
Owen, Sir H. O.
Packe, Colonel
Padmore, R.
Palmer, Sir R.
Pease, J. W.
Peel, rt. hon. Sir R.
Peel, A. W.
Peel, J.
Pelham, Lord
Peto, Sir S. M.
Philips, R. N.
Portman, hn. W. H. B.
Potter, E.
Potter, T. B.
Power, Sir J.
Price, R. G.
Price, W. P.
Proby, Lord
Rawlinson, Sir H.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Rothschild, Baron L. de
Rothschild, Baron M. de
Rothschild, N. M. de
Russell, A.
Russell, F. W.
Russell, Sir W.
St. Aubyn, J.
Samuda, J. D'A.
Samuelson, B.
Scholefield, W.
Scott, Sir W.
Scrope, G. P.
Seely, C.
Seymour, A.
Seymour, H. D.
Shafto, R. D.
Sheridan, H. B.
Sherriff, A. C.
Simeon, Sir J.
Smith, J.
Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Stanley, hon. W. O.
Stansfeld, J.
Stone, W. H.
Stuart, Col. Crichton-
Sullivan, E.
Sykes, Col. W. H.
Synan, E. J.
Taylor, P. A.
Tite, W.
Tomline, G.
Torrens, W. T. M'C.
Tracy, hon. C. R. D.
Hanbury-
Trevelyan, G. O.
Vanderbyl, P.
Verney, Sir H.

Villiers, rt. hon. C. P.
Vivian, Capt.hn.J.C.W.
Waring, C.
Warner, E.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Whatman, J.
Whitbread, S.
White, hon. Capt. C.
White, J.
Whitworth, B.
Wickham, H. W.
Williamson, Sir H.
Winnington, Sir T. E.
Woods, H.
Wyld, J.
Wyvill, M.
Young, G.
Young, R.

TELLERS.

Brand, rt. hon. H. B. W.
Adam, W. P.

NOES.

Adderley, rt. hon. C. B.
Akroyd, E.
Andover, Viscount
Annesley, hon. Col. H.
Anson, hon. Major
Archdall, Capt. M.
Arkwright, R.
Baggallay, R.
Bagge, Sir W.
Bagnall, C.
Bailey, Sir J. R.
Baillie, rt. hon. H. J.
Baring, T.
Barnett, H.
Barrington, Viscount
Barrow, W. H.
Barttelot, Colonel
Bass, A.
Bass, M. T.
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. Pack-
Bingham, Lord
Booth, Sir R. G
Bourne, Colonel
Bowen, J. B.
Bowyer, Sir G.
Brady, J.
Brett, W. B.
Bridges, Sir B. W.
Briscoe, J. I.
Bromley, W. D.
Brooks, R.
Browne, Lord J. T.
Bruce, Lord E.
Bruce, Sir H. H.
Bruen, H.
Buckley, E.
Bulkeley, Sir R.
Burrell, Sir P.
Butler-Johnstone, H. A.
Campbell, A. H.
Capper, C.
Cartwright, Colonel
Cave, rt. hon. S.
Chambers, T.
Chatterton, rt. hn. H.E.
Clinton, Lord A. P.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A.D.R.W.B.
Cole, hon. H.
Cole, hon. J. L.
Cooper, E. H.
Corbally, M. E.
Corrance, F. S.
Corry, rt. hon. H. L.
Courtenay, Lord
Cox, W. T.
Cubitt, G.
Curzon, Viscount
Dalglish, R.
Dalkeith, Earl of
Dawson, R. P.
Dick, F.
Dickson, Major A. G.
Dillwyn, L. L.
Dimsdale, R.
Disraeli, rt. hon. B.
Doulton, F.
Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. A.
Duncombe, hon. Colonel
Dunne, General
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Eaton, H. W.
Eckersley, N.
Edwards, Sir H.
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Ewing, H. E. Crum-
Fane, Lt.-Col. H. H.
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Fitzwilliam, hn.C.W.W.
Floyer, J.
Foley, H. W.
Forde, Colonel
Forester, rt. hon. Gen.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Garth, R.
Gaskell, J. M.
Getty, S. G.
Goddard, A. L.
Goldney, G.
Gooch, Sir D.
Goodson, J.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Grant, A.
Graves, S. R.
Greenall, G.
Greene, E.
Gray, Lieut.-Colonel
Grey, hon. T. de
Griffith, C. D.
Grosvenor, Earl
Grosvenor, Lord R.
Guinness, Sir B. L.
Gurney, rt. hon. R.
Gwyn, H.
Hamilton, rt.hon.Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, rt. hon. G.
Hardy, J.
Hartley, J.
Hartopp, E. B.
Harvey, R. B.
Harvey, R. J. H.
Hervey, Lord A. H. C.
Hay, Sir J. C. D.
Heathcote, hon. G. H.
Henley, rt. hon. J. W.
Henniker-Major, hon. J. M.
Herbert, hn. Colonel P.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hodgkinson, G.
Hodgson, W. N.
Hogg, Lieut.-Col. J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Huddleston, J. W.
Hunt, G. W.
Innes, A. C.
James, E.
Jervis, Major
Jolliffe, hon. H. H.
Jones, D.
Karslake, Sir J. B.
Karslake, E. K.
Kavanagh, A.
Kekewich, S. T.
Kelk, J.
Kendall, N.
Kennard, R. W.
Ker, D. S.
King, J. K.
King, J. G.
Knight, F. W.
Knightley, Sir R.
Knox, Colonel
Knox, hn. Major S.
Lacon, Sir E.
Laird, J.
Lamont, J.
Langton, W. G.
Lanyon, C.
Lascelles, hon. E. W.
Leader, N. P.
Lechmere, Sir E. A. H.
Legh, Major C.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Lewis, H.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Long, R. P.
Lopes, Sir M.
Lowther, Captain
Lowther, J.
MacEvoy, E.
M'Kenna, J. N.
Mackie, J.
Mackinnon, Capt. L. B.
Mackinnon, W. A.
M'Lagan, P.
Mainwaring, T.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Marsh, M. H.
Meller, Colonel
Mitchell, T. A.
Mitford, W. T.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Morris, G.
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
North, Colonel
Northcote, rt.hn.Sir S.H.
O'Neill, E.
Packe, C. W.
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Major W.
Parry, T.
Patten, Colonel W.
Paull, H.
Peel, rt. hon. General
Pennant, hon. G. D.
Pim, J.
Powell, F. S.
Pritchard, J.
Pugh, D.
Read, C. S.
Rearden, D. J.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Roebuck, J. A.
Rolt, Sir J.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Schreiber, C.
Sclater-Booth, G.
Scott, Lord H.
Scourfield, J. H.
Selwin, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.

Smith, A.
Smith, S. G.
Smollett, P. B
Somerset, Colonel
Stanhope, J. B.
Stanley, Lord
Stanley, hon. F.
Steel, J.
Stock, O.
Stopford, S. G.
Stronge, Sir J. M.
Stuart, Lieut.-Col. W.
Stucley, Sir G. S.
Sturt, H. G.
Sturt, Lt.-Colonel N.
Surtees, F.
Surtees, H. E.
Sykes, C.
Taylor, Colonel
Thorold, Sir J. H.
Thynne, Lord H. F.
Tollemache, J.
Torrens, R.
Tottenham, Lt.-Col. C. G.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Trollope, rt. hn. Sir J.
Turner, C.
Vance, J.
Vandeleur, Colonel
Verner, E. W.
Verner, Sir W.
Vernon, H. F.
Vivian, H. H.
Walcott, Admiral
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Waterhouse, S.
Welby, W. E.
Whalley, G. H.
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wyndham, hon. H.
Wynn, Sir W. W.
Wynn, C. W. W.
Wynne, W. R. M.

TELLERS.
Whitmore, H.
Noel, hon. G. J.

House *resumed*.

Committee report Progress; to sit again upon *Thursday* 2nd May.

LAND DRAINAGE SUPPLEMENTAL BILL.

On Motion of Mr. Secretary WALPOLE, Bill to confirm a Provisional Order under "The Land Drainage Act, 1861," *ordered* to be brought in by Mr. Secretary WALPOLE and Mr. SCLATER-BOOTH.

Bill *presented*, and read the first time. [Bill 123.]

CHURCH DISCIPLINE ACT AMENDMENT BILL.

On Motion of Mr. WHALLEY, Bill to repeal so much of the Act of the third and fourth years of Victoria, chapter eighty-six, commonly called "The Church Discipline Act," as deprives the Laity of the power of prosecuting the Clergy for offences against the Ecclesiastical Discipline of the Church of England, *ordered* to be brought in by Mr. WHALLEY and Mr. KENNARD.

Bill *presented*, and read the first time. [Bill 124.]

House adjourned at a quarter
after Two o'clock, till
Monday 29th April.

HOUSE OF COMMONS,

Monday, April 29, 1867.

MINUTES.] — NEW MEMBER SWORN — Henry Labouchere, esquire, *for* Middlesex.

SELECT COMMITTEE—On Railways *nominated.*

PUBLIC BILLS—*Ordered* — Tramways (Ireland) Acts Amendment.*

First Reading—Tramways (Ireland) Acts Amendment* [125].

Second Reading — Tenants Improvements (Ireland) [29], debate [April 4] *resumed,* and again *adjourned;* Customs and Inland Revenue* [113]; Local Government Supplemental* [121]; Land Drainage Supplemental* [123].

Committee—Vice President of the Board of Trade* [22].

Report—Vice President of the Board of Trade* [22].

IRELAND—NATIONAL EDUCATION.
QUESTION.

MR. COGAN said, he rose to ask the Chief Secretary for Ireland, If it is the fact as reported in the newspapers that the Solicitor General for Ireland, at a meeting of the Church Education Society held in Dublin on the 10th of April, proposed a resolution which he stated—

> "Expressed the positive principles of the Church Education Society as a Scriptural institution, and also its position as an antagonist of the National System;"

and, whether the Government participate in this condemnation of the National system of Education as compared with that of the Church Education Society, and intend to propose any alterations in it with a view to substitute in its stead a system of education founded on the principles of the Church Education Society?

LORD NAAS said, in reply, that the precise terms of the resolution moved by the Solicitor General for Ireland on the occasion referred to were—

> "That this Society is convinced that the Scriptural instruction of every child having access to their schools is the true principle on which they should stand, and affords good hope, with the Divine blessing, of the advancement of religion, peace, and happiness in the country."

But his hon. and learned Friend pronounced no condemnation whatever of the National system, and merely, in expressing his general concurrence with the views of the Church Education Society, stated his opinion that the principle of the two systems was similar. In answer to the concluding part of the Question of the right hon. Member, he had to state that the Government did not intend to propose any alteration in the National system "with a view to substitute in its stead a system of education founded on the principles of the Church Education Society."

IRELAND—RIVER SHANNON.
QUESTION.

MR. W. ORMSBY GORE said, he wished to ask the Secretary to the Treasury, Whether Mr. Lynam, Civil Engineer, has made his Report upon the state of the river Shannon; and, if not, when it may be expected?

Mr. HUNT said, in reply, that the Report had only been received that morning; but in a few days he hoped it would be laid upon the table of the House.

LUXEMBOURG.—QUESTION.

Mr. HORSMAN: I wish, Sir, to put a Question to the noble Lord the Secretary of State for Foreign Affairs of which I have given him private notice. I wish to ask, Whether the noble Lord has any objection to inform the House what is the present state of the negotiations respecting Luxembourg; whether it is true that those negotiations have resulted in an arrangement for a Conference in London; and, whether he is prepared to lay upon the table of the House Papers which will show the part the English Government have taken in this transaction?

Lord STANLEY: In reply, Sir, to the Question of the right hon. Gentleman, I have to state that I have reason to believe that the propositions made for a Conference —propositions which were not solely made by England, but by all the Powers neutral in this dispute—will be accepted by both France and Prussia. More than that, although it is too early to speak with absolute confidence on the matter, yet I have every reason to hope, and even to believe, that this question of Luxembourg, which for the last fortnight has disturbed all Europe, is in a fair way to be speedily and amicably arranged. I fear I have no right to state to the House any details as to the present state of the negotiations; because however willing I might be, and I am always willing to explain and to vindicate the course pursued by this Government, it is obvious that I have no right to disclose the proceedings of other Governments, which have been communicated to me more or less confidentially, without the consent of those Governments. I may, however, take this opportunity of contradicting a report which I find has been current that Her Majesty's Government has expressed decided views upon the merits of the question now in dispute between France and Prussia. No such opinion has been expressed. We certainly did express a very strong opinion in favour of settling this question by peaceable means. I may also say that from the first and throughout the language I have held to all parties concerned has been this—that if, unfortunately, matters took a different turn from that which they now seem likely to take, and if hostilities were to break out, the position of England in this quarrel would be one of strict and impartial neutrality.

PRIVATE COMMUNICATIONS— MR. DILLWYN'S MEMORANDUM.

EXPLANATIONS.

Mr. DILLWYN said, he had placed a Motion on the Paper of his intention to put a question to the hon. Member for Nottingham, as to certain Papers which he read to the House on the 12th April, purporting to be the Copy of a Memorandum made by the Member for Swansea; and to ask that Gentleman by what means he obtained such Papers. He would beg to ask leave of the House to make a personal explanation with reference to this subject. He had that morning received a note from the hon. Member (Mr. Osborne), and, as he had found that in dealing with matters in which the hon. Gentleman was concerned it would be better not to trust to memory, he would read the communication he had received from the hon. Gentleman in answer to a private notice he had given him of his intention to bring this matter forward on that occasion. The note was dated "April 28, 1867," from "Newmarket, near Cambridge," and was to this effect—

> "Sir,—In case you still wish to address to me the question that stands in the Notice Paper in your name for to-morrow, I beg to inform you that it will not suit my arrangements to be in London before Thursday next. I have the honour to be, your most obedient servant,
>
> "R. Osborne."

He should make no comment in the absence of the hon. Gentleman upon the occurrence of the other evening, further than to remark upon the want of courtesy shown by the hon. Gentleman in not giving him notice of his intention to bring the memorandum of which he (Mr. Dillwyn) was the author before the House. Owing to the abrupt manner in which the hon. Gentleman had thought fit to bring the matter forward, he (Mr. Dillwyn) had been taken very much by surprise, and had felt himself in a very awkward position in having to explain at a minute's notice, and in the absence of the hon. and gallant Member for the county of Dublin (Colonel

Taylor), transactions in which he and that hon. and gallant Member were concerned. The question he had put upon the Paper was intended to elicit from the hon. Member for Nottingham the means by which he had become possessed of the paper he had read to the House on the 12th of April, which purported to be a copy of the memorandum he (Mr. Dillwyn) had made of the conversation he had had with the hon. and gallant Member for the county of Dublin. The original memorandum made by him was not strictly of either a public or a private character, as it was well known in the lobby that such a memorandum had been drawn up. The right hon. Member for Lewes (Mr. Brand), in a letter of the 15th of April, explaining how the paper came into the possession of the hon. Member for Nottingham, said—

> "It struck me that this statement was of the greatest importance as affecting the question before the House, and I accordingly asked Mr. Stanley if he would give me the terms of the memorandum. He thereupon dictated the memorandum, which was afterwards read, and assured me that it was strictly correct."

This, therefore, gave the required explanation as to the means by which the hon. Member for Nottingham had obtained the paper he read to the House. The statement it contained that the hon. and gallant Member for the county of Dublin had said that the Earl of Derby and the Chancellor of the Exchequer were in favour of the Amendment of the hon. Member for Oldham (Mr. Hibbert) upon the Reform Bill was incorrect, inasmuch as the hon. and gallant Member for the county of Dublin did not allude to the opinions of the noble Earl in any way. That document did not refer to the question at issue before the House in any way, but related exclusively to the propriety of adjourning the debate until after the recess, so as to allow time for the consideration of Mr. Hibbert's Amendment by the Cabinet, that consideration being for the time prevented by the illness of Lord Derby. That was the whole purport of the memorandum, and in justice to the hon. and gallant Gentleman the Member for the county of Dublin, he (Mr. Dillwyn) felt bound to explain most explicitly that the hon. and gallant Gentleman did not hint in any manner whatever that Lord Derby was favourable to the Amendment of the hon. Member for Oldham (Mr. Hibbert). The memorandum was one merely affecting the adjournment; it was no secret, and he showed it freely to several hon. Members.

He thought, however, that in order to prevent such misunderstandings and the necessity for such explanation in future, it would be better if hon. Gentlemen of the experience of the right hon. Member for Lewes (Mr. Brand) and the hon. Member for Beaumaris (Mr. Owen Stanley), when they next made a memorandum from recollection, would act a little more cautiously and with a better sense of fair play, and show the memorandum to the hon. Member concerned. They ought, in his opinion, to have shown him the memorandum, and to have ascertained that it was substantially correct. In this case, however, he had nothing further to say than that the memorandum brought forward by the hon. Member for Nottingham (Mr. Osborne) was incorrect, both in form and in substance.

Mr. **OWEN STANLEY** said, he was very sorry to be obliged again to address the House upon this subject; but, after the statement made by the hon. Member for Swansea (Mr. Dillwyn), he felt that it was incumbent on him to say one or two words. As to giving the hon. Member for Swansea notice, it was not the hon. Member for Swansea who had asked him to read the document; it was another hon. Member — the hon. Member for Lincoln. He was not on terms of private intimacy with the hon. Member for Swansea, and he did not regard the document as in any way a private one. He mentioned it to the right hon. Member for Lewes (Mr. Brand) because he had had communications with the right hon. Member with reference to the Amendment of the hon. Member for Oldham (Mr. Hibbert). When he found that the document was being shown to hon. Members at eleven o'clock at night —for that was an important fact—he mentioned it to the right hon. Member for Lewes. The hon. Member for Swansea had said that it was drawn up at five o'clock, previous to the Motion for the Adjournment being made by the noble Lord the Member for Chester (Earl Grosvenor). It was, however, eleven o'clock when the document was being shown to hon. Members, certainly with a view to induce those Members favourable to the Amendment to support the Government. It was, of course, difficult, after the perusal of a document, to remember the exact words. The right hon. Member for Lewes, wishing to speak to the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), asked him (Mr. Owen Stanley) for the substance. He accordingly dictated the memorandum read by the hon. Member for Nottingham (Mr. Osborne), which he still believed to be substantially correct. ["Oh!"] That, at all events, was his impression, and was the impression which remained on the minds of other hon. Members who had seen the document. He hoped that he had now convinced the House that he had only acted in this matter in the way that any other hon. Member in his position would have acted. The document was not a private one. It would have influenced the votes of hon. Members on an important question, and might have probably influenced his own. The only inaccuracy might, perhaps, have been the statement professing to be made on the authority of the hon. and gallant Gentleman the Member for the county of Dublin (Colonel Taylor) that Lord Derby was personally in favour of the Amendment. He (Mr. Owen Stanley), however, certainly thought that the document was so worded, and after hearing the speech of the hon. Member for Swansea the House could easily believe that it was a little involved. At any rate the matter could be easily cleared up. If the hon. Member would only produce the document, it would speak for itself.

IRELAND—THE TYRONE MAGISTRACY.

QUESTION.

Colonel STUART KNOX said, he wished to ask the Chief Secretary for Ireland, Whether he has any objection to place on the table copies of the following documents connected with the charges made by Mr. Justice Keogh at the late Assizes for Tyrone against certain Magistrates of that county—namely, statement of the Judge from the Bench; his Report to the Lord Chancellor of Ireland; the correspondence that has ensued between the Lord Chancellor and the Magistrates in question; also Copy of the Evidence of the Constables at the Petty Sessions at Dungannon on the 1st of October, 1866, upon whose statements the Judge founded his remarks?

Lord NAAS, in reply, said, he believed it would be necessary to institute an inquiry into the whole of the circumstances connected with the case to which the hon. and gallant Gentleman referred. Under those circumstances, it would clearly be improper to produce any documents until that inquiry was completed. When, however, that time had arrived all the documents should be laid upon the table of the House.

FACTORY ACTS EXTENSION BILL.

QUESTION.

Mr. POWELL said, he rose to ask, Whether it is likely that progress will be made with the Factory Bill that night?

The CHANCELLOR of the EXCHEQUER said, in reply, that it must depend on the progress which might be made with other Bills.

Mr. BRIGHT said, he wished to ask, if the right hon. Gentleman would consult with the Home Secretary as to the propriety of referring the Factory Bill to a Select Committee. He believed that all persons concerned in the operation of the Bill thought it might be made more satisfactory if it were referred to a Select Committee. He had understood that the Home Secretary was not much indisposed to such a course, and he (Mr. Bright) had received requisitions from Birmingham to that effect.

TENANTS IMPROVEMENTS (IRELAND) BILL—[Bill 29.]

(*Lord Naas, Mr. Solicitor General for Ireland.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [4th April], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

Mr. GREGORY said, in moving the Amendment of which he had given notice, he had no intention of preventing the Bill from going into Committee. There were two principles in the Bill of which he cordially approved—the first, that which enabled tenants to borrow money from the Government for the improvement of their farms; the second, that which permitted tenants to remove fixtures erected by themselves in case of their failing to come to an understanding with their landlord, or the incoming tenant, to remunerate them for the outlay. These were two important principles, and to assert them it was well worth while to read the Bill a second time. He (Mr. Gregory) must, however, assert his conviction that if the object of the noble Lord was to come to a settlement of what was called the land question in Ireland, this Bill would have no effect whatever. The noble

Lord might say that his Bill is not intended as a settlement; but as Her Majesty's gracious Speech at the opening of Parliament had dwelt at such length on this subject, and as the Bill of the late Chief Secretary was accepted as a settlement, although he (Mr. Gregory) could not look on it as such, he could hardly imagine why the subject should be introduced at all, and why provisions which certainly did infringe on the rights of property should be sanctioned by a Conservative Government, except on the overwhelming plea of withdrawing this question finally and completely — so far as politics admitted of finality and completeness—from the list of Irish discontents. The Bill appeared to him to have three cardinal defects. It was inapplicable to a great portion of the Irish tenancies; it utterly ignored and passed by the real cause of discontent among the peasantry of Ireland, and it needlessly violated the rights of property. As regards the first objection, there were 307,098 tenancies in Ireland under fifteen acres, representing in round numbers over a 1,500,000 souls. How was it possible to apply the principle of this Bill to these small holdings? It was clear, however, that the attempt to do so was contemplated. The noble Lord, in his introductory speech, informed the House that inspectors were to be stationed in various localities to encourage the peasantry to take loans from the Government to improve their holdings, and these inspectors were to be urged to greater zeal, because they were to derive their salaries from fees on the money expended. [Lord NAAS: I did not say so.] The noble Lord denied that such was his statement. He (Mr. Gregory) had certainly so understood him; but, whether it were so or not, what possible reliance could there be that the money would be well spent? Could they not picture to themselves the scamper there would be to get a pull at the public funds; and could they not also fancy the clamour when re-payment was demanded? No doubt in many cases the inspector would only recommend improvements which would really increase the value of the farm. But there would be others not so competent nor so scrupulous. He (Mr. Gregory) doubted from his knowledge of Ireland whether it would be possible to get the number of competent men. If the Bill was meant to be inoperative, it would be easy enough; but if the Bill were really to do what it proposes to do, there would be required a swarm of men of skill, experience and integrity, and where were they to be found? And if such men were not to be found, was it to be sanctioned that the owners of land in Ireland were to have charges scattered broadcast over their properties at the arbitrary decree of some ignorant or venal man, and the only way in which the infliction could be avoided would be by a notice to quit, which would be denounced as an act of inconceivable tyranny. Let them also conceive, apart from this extremely mischievous invasion on property, the discontents that might be produced by a dishonest, or reckless, or even incompetent inspector. He sanctions; indeed, he encourages loans right and left. The peasants are delighted to touch the cash — the improvements are badly done or turn out to be no improvement at all—land might be drained which from its intrinsic badness could never repay the outlay. But the evil day approaches—instalments become due—dissatisfaction ensues. The peasant declares he borrowed at the instigation of his inspector, that he was misled by him, and thus there might be a whole district resisting the payment of what would be considered an unjust debt, contracted by the advice of Government officials, and the Members of the county would be called on at their peril to batter and assail the Treasury for remission, an office which they would perform, doubtless, with vigour and pertinacity. This was a matter which a Government lending public money would do well to consider. In his (Mr. Gregory's opinion money might safely be lent on land held on lease, and any Scotch or English tenant farmer would inform the House, as the hon. Member for Norfolk (Mr. Read), the very best authority, being himself a tenant-farmer, had already informed the House, that the principal and interest might be re-paid within twenty-one years with ample remuneration to the borrower. Should, however, a longer period for repayment be considered desirable, there was the proposal of Mr. Caird, a gentleman well known for his able letters in *The Times* on the agricultural condition of Ireland, and lately a distinguished Member of Parliament. He recommends that the State should lend on a thirty-four years' lease, and he is not of opinion that public money should be lent on a tenancy-at-will. This reference to leases led him to the second objection, that the Bill ignored and passed by the real cause of discontent among the peasant classes of Ireland, and that was the instability of tenure. No Bill which did not aim at affecting an alteration in the state of things in which ninety-five out of every 100 tenants existed on the soil by the mere will of the landlord could ever be called a settlement of the question. That alteration should be effected cautiously, gradually, and with due respect to the rights of property. It would be worse than useless, it would be an additional irritation, were any Government to place upon the statute book any enactment which should not have this eventual change of tenure as its prominent and predominant feature. The noble Lord (Lord Naas) knew Ireland well enough. He must be well aware that there could be no attachment to the institutions of a country on the part of a peasantry who are living on sufferance on its soil. It would not be inconsistent with Conservative principles to try and remedy this evil. There was nothing conservative in a tenancy-at-will. In his opinion it was the most revolutionary tenure in the world. In making these observations he had not the least idea of advocating any measure to force landlords to give leases right and left without due precautions and selection. The discretion of landlords should be considered; but that discretion might be urged and encouraged. He entirely agreed with Lord Dufferin, who thus wrote—

> "No one had been a stronger advocate for leases than myself. To refuse a lease to a solvent, industrious tenant is nothing less, in my opinion, than a crime. The prosperity of agriculture depends on security of tenure, and the only proper tenure is a liberal lease. Yet, I cannot conceive a measure more fraught with disaster to agriculture, more productive of discontent, more certain to inflict suffering on a large proportion of the tenant farmers of the country than that the Irish landlords should be driven by any legislation into an indiscriminate issue of leases for a term of years."

This opinion of Lord Dufferin agreed with the Report of the Devon Commissioners, who say—

> "Upon some well regulated estates the property of intelligent and liberal landlords who are upon the best footing with their tenants, no leases are given; but we cannot forbear to express our opinion that, as a general system, it is more for the interest of both landlord and tenant that leases of moderate length should be given."

It was true that even here the Commissioners deprecated the "direct interference of the Legislature;" but though they might have deprecated compulsion, it is quite clear they would not have deprecated encouragement. Now, in framing any Bill for the improvement of the relation of landlord and tenant there were two indispensable postulates—the one, that the provisions of the Bill should be clear and simple; the second, that they should be self-acting. The moment they enacted intricate provisions legislation became useless. The moment landlords and tenants were brought into any kind of collision it was simply mischievous. The old saying, *vigilantibus non dormientibus leges subvenire* should be reversed in this case. Bearing in mind the dangerous ground on which they legislated, the infinite mischief they might create by any enactment promoting litigation between landlord and tenant, the new arrangements, whatever they might be, should work silently and of themselves. Their objects should be rather *dormientibus quam vigilantibus subvenire.* Apply these tests to every successive Landlord and Tenant Bill brought in by different Governments, and they will all be open to objection, the Bill of the late Chief Secretary as well as that of the noble Lord. But it is said why legislate at all, no measure which Parliament could sanction would ever satisfy the real feeling which lay underneath this land question. That feeling was derived from old traditionary custom, that the land belonged to the tribe, that is to the people, that the utmost the owner could claim was a reserved rent held on a valuation, and that no eviction should ever be allowed or interference permitted in the tenant's management of the land so long as that annuity was paid. He (Mr. Gregory) remembered well making that observation to Mr. Dillon last year, and here he would express his regret at the untimely death of a man whose honesty and moderation and thorough knowledge of the question would have been of inestimable service as a mediator in this matter. Mr. Dillon replied that unquestionably that feeling prevailed, but that it took its strength and vigour from the irritation which had grown up under the present state of things, and that he was confident that if he and others whom the tenants looked on as their advocates and friends came forward and declared that a measure had been passed which, while doing no wrong to landlords, would place the tenants' position on a more secure foundation, this source of agitation and bitterness would speedily dry up. It was now necessary to advance another step, and in order to ascertain what should be the tendency of legislation, it was worth while to trace the growth of what was called the Irish Land question. Lord Naas was quite right in saying that it was only of recent years that it had assumed its present prominence. It was true that O'Connell did, as the hon. Member for Tralee (The O'Donoghue) mentioned, refer at times to the lamentable condition of the Irish peasantry; still the land question, as such, was small until recent years, when successive Governments discovered the danger of the sore, and had tried to plaister it. It seemed strange enough that in former days, when agrarian outrages and murders were rife in Ireland, this subject should have formed so small a part of the political professions of the day; but that now, when murder and outrage were almost unknown, when wealth and education had so much increased, it should have assumed its present prominence. The cause of this was worth examining. The first forty or fifty years of this century were different from the present. The tenure of land was different—leases were far more the rule than at present. [Colonel FRENCH: They were universal.] There was less supervision over estates, and the proceedings of leaseholders were unchecked. He (Mr. Gregory) remembered that when his father succeeded to his estate in 1840 there was not a holding which did not depend on lease. Twenty years afterwards there was not a single lease on the property, but almost everywhere there was a crop of small and almost pauper under tenants. In those days the elective franchise depended on a 40*s*. freehold, and subsequently on a lease. The landlord's political status and influence depended on the numbers he could bring to the poll. In short, the people did as they liked, they increased and multiplied, subdivided and again subdivided. The pressure for existence was strong enough, but the crisis had not yet come. Outrages there were without end, but they were directed against infractions of a lawless code, established and recognised by the peasantry. Their sufferings had not entered into the domain of politics. They had no mouthpieces. They made themselves intelligible by the bludgeon and the blunderbus. That the social system was diseased, was clear enough to all; but it was thought a periodical and generous system of hanging would put all things to rights, and so they hung them. A change, however, came; the Corn Laws were abolished and there was a period of low prices. The mode of voting was changed, and votes depended not on leases but on rating. The old long lease with lives was found most injurious to the country, though pleasant enough to tenants, as by their means indefinite and unchecked sub-divisions were carried on, and so landlords refused to renew. During the great political agitation of O'Connell, in many cases tenants went against landlords, and when leases fell in they were not renewed. Last of all came the famine, and nearly every lease in Ireland was swept away. To that succeeded the Incumbered Estates Court. By its operations a vast amount of land changed hands, and very many of the old landlords passed away with it. All these changes, though an improvement to the country, brought little comfort to the peasant. The old landlord, if wasteful and careless and needy, was generally kind to, and easy with, the tenants. Their families and his family had lived in close contact for many a long day, and with a people so disposed to attach themselves, a deep sympathy with what was called the old stock existed, and that feeling was reciprocated by the landlords. Too much easiness, far more than too much harshness, was the fault and characteristic of the past age of Irish landlords. Then came a new race, men who had accumulated funds and laid them out in land as an investment, who knew not the peasantry and cared but little for them. The land must pay more, that they might have a better interest for their money. The land was badly tilled, and there was not sufficient stock, so they took it into their own hands. The peasant thus found himself with his rent raised and in danger of eviction, and in the hands of new and unsympathetic landlords. Of course, he (Mr. Gregory) was speaking generally. In many instances now the landlords had regenerated their property, and were esteemed and trusted by the tenants. He knew many such in his part of Ireland, but they were exceptions. It will be seen that every change had made the peasant's condition more precarious than before. Throughout the length and breadth of the land - that is to say, in the East, West, and South of Ireland, for he was not speaking of the North, where a better tenancy prevailed—there was no stability of tenure. Every ninety-five out of every 100 tenants knew that a breath had made them and a breath could unmake. Then arose the cry for landlord and tenant legislation. If he (Mr. Gregory) had rightly traced the history of what is called the land question, it would not be difficult to find the real remedy. At first compensation for improvements was the cry, but that was because the words sounded speciously in English ears, but compensation for improvements was the merest moonshine. All the compensation which the wit of lawyers could devise would not give contentment. In treating a question like this in connection with any people under the sun, sentiment and feeling should be a strong ingredient, but of all people this ought to be well considered in dealing with a susceptible, imaginative people like the Irish. If that sentiment and feeling were utterly unreasonable and absurd let them cast it behind them, but if they themselves being in the same position would, in all probability, be under the same influences, they were bound to consider them in legislation. He (Mr. Gregory) then tried to put himself in the position of the Irish peasants, and he was satisfied that the predominant cause of dissatisfaction was the uncertain and precarious character of the tenure on which their very existence depended. He had seen much of the people lately. He had endeavoured to arrive at their inmost thoughts, and this was the result of his investigation. Was it unnatural? Unfortunately the opponents of the conclusions at which he arrived were the very best men in Ireland. The really good, conscientious, improving landlords were the persons who least could appreciate the feeling he had described. They lived among an attached and contented tenantry. They knew that those men neither wanted nor would accept increased security. As far as security went these tenants believed that a tenancy-at-will offered more permanency than a lease, for the expiration of the lease implied a break of tenure. In some properties a tenancy-at-will was almost a fixity of tenure. He would give a strange illustration of that. A few years back a noble Friend of his, one of the best and most beloved landlords in Ireland, ejected a tenant for the most outrageous conduct. The tenant took defence, and pleaded that so long as a tenant paid his rent there had not been an instance of ejectment on the estate, and that such was the custom of the country. The plea, of course, was disallowed. Here, then, is the chief difficulty of those who plead for leases. They had for opponents men of the highest authority, authority derived from the exemplary performance of duties, and who cannot be brought to see that all were not like themselves. Against such it is hard to contend. Every witness before the Land Committee of 1864 deposed that if all landlords were good and did their duty no legislation would be required. They had great authority for saying that the law was not made for the righteous. Precisely the same state of things prevailed in the Southern States in connection with slavery. It was invariably the best masters who were most scandalized and provoked at attacks on a system which they believed was accepted with joy and gratitude by the slaves, was administered kindly and benevolently, and which conferred a greater amount of comfort than the black population could otherwise have reached. But as in the slave plantations, so in Ireland—something happened. The good landlord may die. The son may be an absentee, neglectful, a spendthrift. The estate may fall into the hands of a grasping, self-seeking agent. Acts of injustice are committed, and terror and suspicion extend far and wide. The landlord, too, may be harsh, griping, greedy—such there are in Ireland as in other countries; then it is that the defenceless condition of the Irish tenant becomes clear to all. The unfortunate wretches under his control know that they are in a bad man's hands, and that hand may crush them. The result was disaffection, and a surface of sentiment ready to receive the seeds of any project to overthrow the institutions and the laws which maintained and shielded these evil doings. Let him give the House one instance. The largest landlord in extent of acres in Ireland was in his county, and in the adjacent county of Mayo. Besides other acts of omission and commission, unnecessary to refer to here, the manner in which this great territory was managed was in this way. Formerly, together with the receipt for the rent, a notice to quit was issued. Now once every year the tenant had to sign an agreement that he took his holding for one year only, so that on that day twelvemonth, without any reason or cause assigned, he might find himself and his family cast adrift on a bleak mountain side in Connemara. This was the practice of the greatest territorial landlord in Ireland. Thank God, that landlord was not Irish. It was a great English company—the Law Life Society, managed by gentlemen some of whom had seats in that House, some of whom called themselves Liberal. Now he (Mr. Gregory) did not propose to interfere directly even in such an outrageous case as this, but he did think legislation should be resorted to to discourage such a state of things. That, then, was his reply to the argument that leases were not cared for—they were not cared for undoubtedly where the tenant had thorough confidence in his landlord, and the successor of his landlord. They were desired and craved for when there was no confidence in the landlord, or even where there was confidence, but when the destination of the property was uncertain. Then, again, he was asked would he encourage leases to very small holders. His answer was certainly not. The tenants' witnesses in 1864 deposed unanimously that in these cases it would be unnecessary and even unwise to give leases. Judge Longfield, Mr. M'Carthy Dowling, the Catholic Bishop of Cloyne, and even Mr. Dillon himself, were of that opinion. Then he was told to look at the evil effect of leases in former days—"See," say the objectors, "how these leases have turned out—the middleman has been their creation, and the lands held by them have been pauper warrens, the source of half the misery of the country." The objection was a valid one, but why? because these leases were long and almost gambling leases—leases of thirty-one years and three lives, leases in which there were no covenants, or if any they were covenants without penalties and evaded. He (Mr. Gregory) believed such leases to be worse than none at all, and such was the almost unvarying depositions of the witnesses before the Devon Commission, that these leases had been the curse and bane of Ireland. Again, it was said — leased land was not one whit better cultivated, or more capital and labour expended on it than in the cases of a tenancy-at- will. That was a disputed point, but even if admitted let them do this—let them place a tenant-at-will and a tenant on lease side by side on any property save that of a first-rate landlord, and then he would leave it to them to estimate who would be the loyal man in an emergency—who would be the defender of law, order, and the institutions under which he lived. That was a consideration for a legislator. One would hardly imagine that arguments were needed to prove that a country where the landlord, generally speaking, did little for the tenant—he qualified his language by the words generally speaking—and where the whole tenure was at will, could never be really contented. It was totally impossible it should be so. A community that could dwell together in unity under such circumstances must be a community of angels. The mere fear of eviction was not the sole disturbing cause, but that constant exercise of power and interference which must be galling to any man of independent spirit. The Irish peasant is reproached for want of that independent spirit. He is described as servile, lazy, unimproving, dependent. May not the training he has had for centuries account for this. He (Mr. Gregory) would be slow to admit inferiority of race to have much to do with the backwardness of those whose relations and comrades have been pre-eminent in France and Spain, and even in England, for their military and civil genius. Hitherto, and up to this point, he had been debating this question on mere abstract arguments. Let him now turn to something more definite. Take the example of two countries where there was the greatest content among the agricultural classes—namely, Scotland and Prussia. He did not refer to France, because there the peasants were proprietors. Now he (Mr. Gregory) said, on the introduction of this Bill, that Scotland showed us how the largest possible amount of produce could be derived from the soil, how the largest rents could be obtained, and how perfect harmony and good feeling could prevail between landlord and tenant. But had they tenancies-at-will then? Such a thing was unknown, and would not be listened to. Leases of fixed but of moderate duration prevail. In Prussia, again, 25 per cent of the peasantry were tenants, the rest were proprietors in fee. There, also, great content prevailed, but a tenancy-at-will was unknown—in every case of letting land there was a contract or lease made for a given number of years. In Eastern Prussia this contract usually ran from twelve to twenty years; in Westphalia, from seven to twelve; in the Rhine Provinces, from three to seven and nine years. His informant was a gentleman who went to Prussia two years ago for the express purpose of looking into the state of land tenure and education there. Commenting on the tenant's position in Prussia, Mr. Ussher says—

> "What is known as 'tenant right' among the Irish farmers in the North of Ireland has never been heard of in Prussia. The tenancies being all by contract or lease at the expiration of the term agreed upon—be it for whatever period,

> long or short—the farm is re-let to the highest and most solvent bidder, and it would seem to a German peasant a most inexplicable thing how anyone could have a right to or claim on anything which he hired from the owner for a yearly payment once the contract ended."

Now he (Mr. Gregory) quoted that sentence, as it was pregnant with wholesome deductions. Irish landlords complained of the strange doctrines that were springing up, of fixity of tenure, compulsory valuation, and other communistic invasions of the right of property, against which he inveighed as strongly as any one; but in Scotland, and above all in Prussia, the country of Stein and Hendenburgh, where infractions on proprietary rights might be expected to be advocated, no such doctrines were maintained. It was grievance which gave birth to the demand for wild and impracticable remedies, and grievances if not redressed would make these remedies appear less wild and less impracticable every day they were deferred. Now, it is said in England there are plenty of tenancies-at-will, and all goes well with them; but the difference is great; the English tenant is comparatively wealthy, his landlord has done everything for him, built, fenced, drained. If he goes out what does he leave behind him—not even a regret. But to the Irish tenant eviction is tantamount to ruin, expatriation, and the breaking up of every family tie; and the fear of this, the chance of this, made men rebels in thought if not in acts. Mr. James O'Connell last year made a speech at Killarney against the Fenians, and he said, "It is the greatest folly to talk of rebellion with butter at £4 the firkin." There was true wisdom in that observation—disaffection and misery and insecurity went hand in hand; and he would venture to say that if the system of leases were as prevalent in Ireland as the tenure-at-will, they would find almost every farmer in the country a special constable, unsworn indeed, but determined to protect those institutions under which he dwelt in safety, none making him afraid, and he (Mr. Gregory) would not modify that assertion, even by the fact of a farmer with a lease of forty acres having been shot when out with the Fenians some weeks ago. Now, let him (Mr. Gregory) take this opportunity of saying a few words as regards that class to which he belonged—namely, the landlords of Ireland. One would really imagine from the speeches made and the articles written that the Irish landlords as a class were to be stigmatized as reckless, overbearing, oppressive, or else as neglectful and unmindful of their tenants. He had no doubt many persons imagined that Irish upper society was, as in the days described by Sir Jonah Barrington, and the author of *Harry Lorrequer*, drinking and gambling all night, fighting duels in the morning, and the survivors riding steeplechases all day. But a visitor to Ireland would tell a different story. If he went about among the lower classes he would generally find great attachment on the part of the peasantry to the resident landlords. Instead of a reckless and improvident set he would describe the landlords as rather saving than wasting, and as taking the greatest pains in the improvement of their properties. If he had known the country for the last twenty-five years he would remark the most notable improvement in the cultivation of the land, and of the stock on the land, and in the dress and general deportment and behaviour of the people. He would tell you also that there is a landlord side as well as a tenant side of the question. That much had been said of the improvements by tenants, but very little of the reckless and ruinous destruction of the land by tenants, and that if a balance were struck far more land was returned to the landlord deteriorated and worn out than had came back to him with improvements. He (Mr. Gregory) was bound to say that, if they exterminated the landlords, which had been so charitably and judiciously proposed, they would not oblige the tenants. There must be a landlord somewhere, and there was no fact more notorious, as he had said before, than that the new landlords under the Incumbered Estates Court had pressed more heavily on the tenants than the old. They, the landlords, had their faults—all classes had their faults—but extermination was a bad cure. He had never heard the extermination of the millowners proposed by the holders of land, because some of them practised and enforced the villanies of the truck system, or because some of them tried to reject the Ten Hours' Bill under the specious title of freedom of labour, which freedom of labour they knew in their hearts meant freedom to grow up like beasts—freedom to pine away an unhealthy youth—freedom to seek into an untimely grave. He (Mr. Gregory objected to being exterminated himself. He objected to the extermination of any class, because of the shortcomings of individuals, and because of faults engendered and fostered, and maintained by bad laws, and ages of misgovernment. A far better thing than the extermination of a class was the extermination of bad agencies, which were breeding discontent. Now, if they thought that a state of things was likely to breed discontent, which left ninety-five out of every 100 tenants at the caprice of the landlord, if such a state of things did not prevail in any civilized country in the world, then, he said, let your Landlord and Tenant Bill rest on a different basis from the one before them, let its object be to tap the fountain of bitterness at its source, and give a Bill which should cautiously and gradually, and in the most conservative spirit change the present relations, and encourage some stability in the occupation of land in Ireland. He (Mr. Gregory) was the last man to advocate wild and communistic principles. He believed one great hindrance to the settlement of this problem were the wild and preposterous views emanating from some of those who called themselves the tenants' friends in Ireland. He did not even imagine that if his Amendment were accepted by acclamation and a law passed to give it effect, that a cure would be obtained for the ingrained and inevitable diseases of centuries, and that Irish disaffection would subside into a great calm. There was something more than land in these diseases of Ireland. They pervaded the whole social system as well as the peasant. They were like fevers, they came, they disappeared, but they returned again; 1798 and 1822, 1848 and 1867 were the epochs; United Irishmen, Ribandmen, Terry Alts, Smith O'Brien and James Stephens were the symptoms. Leases alone would be no antidote to Fenianism, for Fenianism was complex. Irrespective of the base motives of vanity, love of notoriety, hopes of plunder, it was a mixture of the recollection of past wrongs, of the sense of present grievances and neglect, and of the hope of a future nationality; but as past wrongs and future schemes were sentimental, and as present grievances were real, let them deal with what they acknowledged to be wrong. He asked them, therefore, by that vote, which he meant to press, did they or did they not consider tenancy-at-will to be the best tenure for a country's welfare and content. All who did so would vote against him. On the other hand, if they thought a gradual change was advisable, they would vote for his Amendment. The remedy was in the hands of the House. There were various ways of encouraging leases. Some would advocate the more stringent course, and say the law now gives certain privileges to the landlord. These privileges may be curtailed or withheld where property was not managed in accordance with what the State considered to be of benefit to the common weal. Others would say that to give the landlord the fullest safeguard against sub-division, to diminish the term of redemption, to facilitate the recovery of possession, that these advantages would alone be sufficient to multiply leases throughout the country. Surely to this proposal, at all events, the objection cannot be raised that it interferes with the rights of property, that it promotes strife between landlord and tenant. All parties might therefore concur in his Amendment, and the House would be alone pledged to an expression of opinion that a system based on moderate security of tenure was superior to an uncertain tenure at will. As a landlord, and deriving everything he had in the world from land in Ireland, he firmly believed that the course he advocated was quite as much for his interest as that of his tenants, both as regards influence and income, and he was convinced that were a Bill based on some sound principle to become law, not one year would elapse before they would have their reward in the increased confidence of the peasant classes in the justice of Parliament, and in the increased peace and stability of the realm. The hon. Member concluded by moving the Amendment.

MR. BRYAN, in seconding the Amendment, said, that considering, too, the prominent position which the Irish land question occupied in the Speech from the Throne, he could not but express his surprise at the meagreness of the measure proposed by the noble Lord for the settlement of this much-agitated and most important question. What Ireland asked for was something in the nature of security of tenure, and unless that were incorporated in the Bill no measure that could be proposed on the subject would give satisfaction. He (Mr. Bryan) honestly confessed he was an advocate for the granting of leases to the occupants of all holdings, whether they be large or small. It was admitted on all sides that there was necessity for legislation on this subject; but he believed that the general desire was that this subject, like the Reform question, should be legislated upon once and for ever. But he warned the House against supposing that this Bill, if passed, would settle the question. Far from it—it would be speedily consigned to the same tomb in which the measure of the right hon. Gentleman the Member for Oxford (Mr. Cardwell) now reposed in oblivion the most complete. If the tenant farmers in Ireland had leases the military would be no more required in elections in that country than they were in England. The fact was that the military were as much required there to induce tenants to vote as their landlord or his agents directed as to preserve peace. It would be impossible to pass a compulsory clause, but it might be made to be the interest of the landlords to give long leases by placing obstructions in the way of those who refused to grant them. It might, for instance, be made the interest of landlords to grant leases by enacting that the tenant from year to year, instead of receiving a six months' notice to quit, should receive a twelve months' notice or a longer period. Could not the county cess and poor rates be made recoverable in the first instance from those landlords who insist on going back to feudal times, and making their tenants little better than *villeins regardant?* It might not have the desired effect; but he saw no reason why they should deal with the county cess and poor rates as they now did with regard to the tithe rent-charge. If the Government would accept this Resolution and act upon this view of the question, it would have the desirable effect of making lease-giving the law or custom of the country; and that once established would be as strong as the law of the land. He felt certain the Law Advisers of the Government would very soon be able to devise a plan that would place non-lease-giving landlords in an unenviable or perhaps an untenable position. The second Bill introduced by Her Majesty's Government was, however, the most important of the two. It proposed to empower tenants to borrow money for the purpose of improving their holdings; but in is opinion the Bill, if passed, would do that which was exactly contrary to the noble Lord's intention, and stop leasing altogether. They all knew how jealous landlords were of having their lands improved without their consent; but how much more would he be so to have his estate made the spoil of his tenants, the commissioners, and inspectors? The noble Lord had said there was at present about £1,000,000 belonging to the tenant farmers lying in the banks of Ireland; but he (Mr. Bryan) could inform the noble Lord that it was considerably over £3,000,000, which if the tenant farmer could see his way to any stability of holding would immediately flow into the land. The principle of compensation should be that which was contained in the Bill of the right hon. Gentleman the Member for Louth (Mr. Chichester Fortescue) when he was Chief Secretary—namely, that the tenant who increased the letting value of the land should be entitled to compensation: and that, he believed, was the principle which Irish Members were indisposed to part with. Without desiring to give offence, he considered this a feeble measure—rather a feeble bid for popularity. It at first sight appeared to be a Bill that would do no harm, but which would be found to be mischievous in practice. He earnestly appealed to Her Majesty's Government, and especially to the right hon. Gentleman the Chancellor of the Exchequer, who, he had been told, took a deep and lively interest in all that concerned Ireland, to give Ireland a good Bill, and thereby see how promptly they would change the state of the country. They had tried coercive measures long enough, with but indifferent results, and he now called upon them to try conciliation, and by a good, useful, honest measure, earn the lasting gratitude of that country.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "without prejudging the Second Reading of this Bill, this House is of opinion that no enactment for the settlement of the Landlord and Tenant question in Ireland can be deemed satisfactory which does not provide for the encouragement of leases in that Country,"—(*Mr. Gregory,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. SANDFORD said, he had risen thus early in the debate because he considered it was desirable that this subject should be taken up as a whole, and not be broken up into fragmentary discussions. He wished, in the first place, to express his deep conviction that the efforts made by successive Governments to interfere with the natural contracts that should subsist between landlord and tenant had by no means conduced to the prosperity of Ireland. They were told that the land tenure in Ireland was an exceptional one, that it had been caused by exceptional legislation; and that it could only be remedied by further exceptional legislation. Now he (Mr. Sandford) believed that if they were to attempt to do so they would be merely moving in a vicious circle. He considered that the best panacea for Ireland was to leave her alone, and close the Notice Book against all similar Bills and Motions and Amendments on the subject for ten years. During that time the landlords and tenants of Ireland might teach themselves something of self-reliance, and at the end of the period they would find that the condition of the land tenure of Ireland would have considerably improved; and if, on the contrary, they crowded the book with Notices of Motion with regard to the land tenure in England, and endeavoured to teach landlord and tenant, instead of relying on their own foresight and arrangement, to look for Government assistance and rely on Government supervision, the condition of land tenure in England would have become almost as bad as it now was in Ireland. All the Governments that had existed during the last fifteen years were much to blame for having meddled and tinkered with this question; but of all the Governments who had endeavoured to legislate upon this subject we had the right to look with the greatest feeling of suspicion and distrust to the noble Lord and the Members of the present Government. He recollected how in 1852, when he first had the honour of a seat in that House, and when his ingenuous mind was not so accustomed to the Conservative measures of Conservative Governments, how a measure was then brought in giving retrospective compensation to Irish tenants, which, disguise it by what term they pleased, meant confiscation. That Bill was brought in, he would say, by the present Government, because Lord Derby was Premier, with the same Chancellor of the Exchequer, and with the same noble Lord as Secretary for Ireland. The present Bill proposed to advance £1,000,000 to the tenants of Ireland for improvements in three cases in which the landlord's assent was required, and three in which it was not—the latter being, thorough drainage, the reclamation of bog land, and the removal of useless fences. Now, from the experience they had of the reclamation of bog land, they knew how easy it was for persons to be mistaken upon that subject, and how doubtful it was whether any real improvement could be effected. And the 7th section of the Bill provided that such land should be charged with the re-payment of the loan even where the improvement was not successful, if in the opinion of the Commission it was likely that the improvement would be ultimately successful so that the property of the landlord might be charged for thirty-five years for attempted improvements undertaken without their consent, and which had turned out wholly unremunerative. He asked the noble Lord (Lord Naas) why he proposed to take in this way from the landlord the control of his own property. He knew of no grounds upon which such an interference with the rights of property could be defended except by broadly saying that property should be enjoyed and administered not in the interest of the few who possessed it, but for the many who had it not, and that the State being the best judge of the matter had the right to step in and administer it for the benefit of the nation at large. Those doctrines were not new. They had heard them before. They were the principles of Blanqui in the language of Proudhon; but he did not expect to find them brought forward by a Conservative Government and embodied in a measure dealing with the land of Ireland. They had been accustomed to hear it said that property had its duties as well as its rights; but he begged to observe that if the State took away from landlords the enjoyment of their rights, it must equally exempt them from the discharge of its duties. No doubt he should be told that if they read this Bill a second time, they might remedy all this in Committee. He had reason to believe the noble Lord would propose to refer it to a Select Committee. They could not, however, read the Bill a second time, because they would assent to its principle by so doing; and, in the second place, they had a precedent to the contrary, which he thought would have some weight with Her Majesty's Government and with his noble Friend the Chief Secretary for Ireland, and that was the precedent of last year. On that occasion the noble Lord (Lord Naas) moved the following Amendment to the Bill of the right hon. Gentleman the Member for Louth (Mr. Chichester Fortescue):—

"This House, though desirous of simplifying the method of securing to tenants compensation for outlay made in permanent improvements, are of opinion that, in any measure relating to the tenure and improvement of land in Ireland, it is expedient to maintain the principle affirmed by the Act of 1860—namely, that compensation to tenants should be secured in respect of those improvements only which are made with the consent of the landlord."

This Amendment was moved on the 17th of April, 1866, by his noble Friend (Lord Naas), who thus had taken not quite a year to change his mind upon the subject. Again, the Committee which sat in 1865 upon this subject reported—

> "That the Committee, having examined several witnesses on the recommendation of the promoters of the inquiry, are of opinion that the principle of the Act of 1860 embodied in the 38th and 40th sections—namely, that compensation to tenants should only be secured upon the improvements made with the consent of the landlord—should be maintained."

This paragraph was likewise prepared by the noble Lord. And such being his recorded opinions in 1865 and 1866, he thought they had a right to ask the noble Lord why he had changed his opinions upon this subject in 1867? They had certainly seen and heard of many marvellous changes in the history of Parliamentary careers; but he remembered no conversion so sudden and so complete as that of his noble Friend the Chief Secretary for Ireland. He believed the fact was that thirty or forty Irish Members had banded together for the purpose of getting fixity of tenure in Ireland, and, perhaps, his noble Friend, now that he was in office, might think that if he could only modify the opposition of these Irish Members, it would not, perhaps, bring him fixity of tenure, but would lengthen his lease of office. There was no other mode of accounting for the Government Bill, except on the theory that Conservatives were ready to defend the rights of property when in opposition, but would subvert these rights when in power. If that were so, people who had anything to lose, especially Irish landlords, might come to the conclusion that the rights of property would be more respected when Conservative statesmen were in opposition than when they were in office. This measure, so far from settling the question, would unsettle it, and the £1,000,000 distributed amongst the impoverished tenantry would only, in the words of the hon. Member for Birmingham, "wet the lips but leave the palate dry." If they assented to it, it would not be the last, but the first of such a series of demands; and if they were backed up by twenty or thirty votes, there would be found Governments weak enough and profligate enough to accede to them. He opposed this proposed waste of money in the interest both of England and Ireland, because the effect of the measure, if carried, would be to re-establish incumbered estates, notwithstanding the proud boast that their recent legislation had done away with incumbered estates in Ireland. £20,000,000 had been invested on the faith of that legislation through the medium of the Incumbered Estates Court in Ireland, and in the belief that henceforward the landlord was to have the full exercise of his rights; but now a re-actionary measure was proposed, the effect of which would be to throw Ireland back into her former state. They were told that the country was to be regenerated by the introduction of English capital, but the effect of this measure would not be to regenerate Ireland, but to drive capital out of the country. Again, how often had the House been told of the inexpediency of having the two countries governed by different laws? Yet the Bill would introduce a code of landed tenure into Ireland differing entirely from the English code. Then, the Irish people had been often reminded of the necessity of self-reliance; but this Bill taught them to look for Government grants, and rely on Government supervision; it raised futile hopes, it paralyzed self-exertion. The laws of political economy would be violated by this empirical measure, which, weakly assented to by a weak Government, would be powerless for good, but powerful for evil. You must legislate for Ireland upon principles, and not in deference to cries. It was in this way only that you could hope to rescue her from the reproach that had been cast at her—that she was, indeed, a member of the Empire, but a withered and distorted member, adding no strength to the body politic, and reproachfully pointed to by all who feared the power or envied the greatness of England.

CAPTAIN C. WHITE hoped the House would grant him that kind indulgence which was invariably extended to a new Member when he first addressed them. The Irish land question had assumed such large proportions as rendered it worthy of being considered as one of the great questions of the day. A great national demand had to be satisfied; and it must be the wish of all who had the interest of Ireland honestly at heart so to legislate upon this question that they might arrive at a permanent and not a merely temporary solution, and that contentment and confidence might be established throughout the country. They might depend upon it that the agitation of this question would not stop so long as half measures were put forward as a sop, and while the people were offered one thing when they asked for another, and their special requirement was ignored. Now, no Bill affecting to settle this question could be anything but eminently unsatisfactory to the people of Ireland, unless it to a certain extent recognised the necessity of a reasonable security of tenure. Fair security by lease was the demand of the Irish tenantry, and for these reasons:—First, that the tenant might be induced to lay out his money on the land; next, that he might be protected in case of any political difference with his landlord; and thirdly, that the security thus received might act as a check upon that hæmorrhage of emigration, which was so much to be deplored. With regard to the first of these reasons, the Bill suggested that the only reason why Irish tenants did not lay out their money upon the land was because they did not possess the necessary funds. But how did this square with the fact that £17,000,000 belonging to Irish tenants-at-will was now lying idle in the Irish banks? If that were the case, it was indubitable that those tenants-at-will must have some solid reason for not employing their capital in agricultural pursuits; and the reason was, that if they did they had no security that they would not be summarily ejected. As to the second reason—that such security would effectually protect the voter who differed politically with his landlord—that argument was worthy of great consideration;—indeed, it demanded it. The tenant, however, demanded to be protected in doing that which the State enjoined on him—namely, exercising the franchise according to his conscience. As his hon. Friend the Member for Kilkenny (Sir John Gray) had stated, the political question involved in this point was at the root of all the opposition with which every proposal for security of tenure was met. It was the love of political power that was called into play; and if it were possible to frame a measure which would combine security of tenure for the farmer with the retention of political power by the landlord, the opposition to it would dwindle into insignificance. They had heard a great deal of the rights of property. He hoped that in that House or anywhere else he might never be betrayed into saying anything that would be so construed as to induce a belief that he did not recognise the importance of the rights of property; but he thought it would be just if the House would consent to look at this question, not from the English landlord, but from the Irish tenant point of view, and remember that property had its duties as well as its rights, and that one of the duties of the landlord was to endeavour to secure the happiness, contentment, and loyalty of the people on his estate. It was their bounden duty to make some sacrifices in this direction, and to cease to obstruct such salutary measures by an opposition based on selfish motives. They had been told that this was exceptional legislation, and that there was no reason why, as the English farmer did not ask for security of tenure as a *sine quâ non*, the Irish farmer should look for it. The cases, however, were not at all comparable. In England there was a trust and confidence — the growth of time—between the tenant and the landlord which did not exist at all in Ireland, where the tenants sprang from a different race to the landlords, and differed in creed, in form of worship, and in each others antipathies and sympathies. As to the Bill of the noble Lord, he would not presume to find fault with it. He thought the noble Lord was justly entitled to every credit for the feeling which animated him in bringing in this Bill. Without wishing to be offensive, however, he thought that in a general point of view it would be useless. In isolated instances the tenant might be benefited; but, in the aggregate, the tenants would not be able or willing to avail themselves of it; for the improvements by the tenant were generally made on the "spur of the moment," and he liked to make them in his own way and at his own time. But, above all, he did find great fault with this Bill on account of the position it held in that House. He blamed the position of the Bill because it assumed to be a solution of the great Irish land question, and it would therefore lead people in Ireland to doubt the will of the House of Commons to grapple with this question, and they would not recognise in the Bill the relief which they were looking for. Having thanked the House for the patience with which they had listened to him, he concluded by expressing a hope that the time was not far distant when they would have such a liberal measure as would at once establish that contentment, that confidence, that trust in the people of Ireland which were so absolutely necessary, and that the question would be then settled, not temporarily, but permanently.

MR. M'KENNA: Sir, I rise to support the second reading of the Bill of the noble Lord. I have carefully studied its provisions and I regard it as a good measure. I wish it, however, to be understood that I cannot view it as a settlement of the tenant question, or as a substitute for a Bill to deal with tenure; as a Tenant Right Bill it would be of scarcely more value than the abortive measure of last Session. I cannot but remark, however, that the observations of the hon. Member for Maldon (Mr. Sandford) tell practically in support of the Bill, at least, as his reasons reach my understanding. The hon. Gentleman reminded the House that in 1852, when his ingenuous mind was first called to the contemplation of this subject, a measure which went still further was brought in by a Conservative Government, of which then, as now, Lord Derby was the head, the right hon. Gentleman the Member for Bucks the Chancellor of the Exchequer, and the noble Lord (Lord Naas) Secretary for Ireland. There is, however, as it appears to me, very little use in comparing the provisions of this Bill with any of its twenty or five-and-twenty predecessors which have died violent or natural deaths in this House. I regard the present Bill on its own merits, and on these merits I intend to support it. There is one feature in the Bill which especially recommends it to my support—namely, that its provisions descend to the level of the poor occupying tenant, and contemplate his reimbursement for the labour or the money he has expended in the permanent improvement of his farm. The 14th section of this Bill provides that in estimating the cost of improvements for which compensation may be had under this Act, the tenant's own labour and that of his family may be taken into account. When this Bill was introduced to the House in February last by the noble Lord, some hon. Members unacquainted with its provisions received it with very scanty favour; but for my part, I must remark that however short the present Bill may fall of their ideal of a proper measure, I search in vain through the statute books for any Act which proposes, by any machinery whatever, to bring the means of improvement within the reach of the poor tenant farmer as this Bill proposes to do. Perhaps, Sir, this is a dangerous admission; there are so many sticklers for precedent in this House, and outside so many who prefer that Parliament should for ever continue in the old grooves of legislation, and there are on the other hand so many disciples of that spurious political economy which we have heard to-night upheld by the hon. Gentleman the Member for Maldon, a fallacious system to which the interests of Ireland have been long systematically sacrificed, that it may be in a certain sense injudicious to acknowledge the real merits of this Bill. That risk, however, I must run or be silent; but the risk perhaps is small, for I believe the time has arrived when the claims of Ireland to exceptional remedial measures will be generally recognised in this House. It requires no great political erudition to demonstrate to this House the fallacies of that school of Liberal politicans who, under the pretence of applying equal laws to Ireland, have applied a like scale of taxation to Ireland and to Great Britain. The condition of Ireland has unfortunately become too well known to require arguments to prove to this House or to the world that she is poorer than any of the independent States of Continental Europe. It requires no lengthened arguments to establish the fact that in this age of free trade the producers of cattle, and corn, and butter, in Belgium, in France, and Germany, have as ready and as cheap access to the English markets for sale of their produce as the producers of the like in the South and West of Ireland. And if this be the case, as it is the case, are there not grounds for exceptional legislation for Ireland? Particularly when I remind the House that concurrently with the advance of free trade, that is to say, contemporaneously with the withdrawal of protection from the Irish producer, the Imperial Parliament raised the taxation on the population of Ireland from 10*s.* 1*d.* per head per annum in 1841 to £1 3*s.* 5*d.* per head per annum in 1861. I now refer to this subject cursorily only as a plea for exceptional legislation, of which I consider the present Bill a small instalment. The hon. Gentleman the Member for Maldon, said that he believed it would tend to promote the interests of Ireland if the name of Ireland were omitted from the Notice Papers of the House of Commons for ten years. I can only characterize observations of this nature as approaching as near to sneer at Ireland and her sufferings as the rules of the House will permit. There is another feature in this Bill which in my opinion distinguishes it favourably from any of the preceding land Bills. This Bill will enable the holder under a lease, even one nearly expired, to improve his farm and secure re-payment of his outlay. I find no trace of any similar concession to a tenant under lease in any former Bill, and I consider this provision in the present Bill, in the circumstances of Ireland, a most important feature. Now, what are the objections to the Bill which we have heard from quarters where we should rather look for support? The right hon. Gentleman the Member for Louth, himself the author of a Bill last Session, or perhaps I may more properly describe him as the editor of that measure—perhaps editor is not a Parliamentary phrase—but it conveys more directly what I mean than the explanation that his Government took up a Bill from the hands of Irish Liberal Members, made their own of it when it accordingly fell through like its predecessors. Well, that right hon. Gentleman had no sooner heard this Bill announced than he took what he called a Treasury objection to the Bill, because it contemplated advancing money to tenants-at-will. But what force is there in this objection even from a Treasury point of view? It is not proposed to advance money to a tenant-at-will on his own mere security; it is proposed to advance money for the improvement of land on the security of the land improved, and what valid objection can be urged that may be termed a Treasury objection on the ground that a tenant-at-will has carried out the improvement which he is to get paid for? Another objection is urged that this Bill does not deal with tenure; but that objection can be answered by saying that the subject of this Bill is of sufficient importance to justify distinct legislation, and when it has been dealt with by Parliament there will be a principle affirmed which will in my opinion materially facilitate and cannot possibly retard a settlement of the tenant question. A third objection which I have heard, and the last which I remember, it appears to me, I may remark, that objections in this House generally resolve into threes—but this last objection is that the working of this Bill requires complicated machinery. Sir, I cannot conceive how it is possible to work any measure of this nature with justice to all parties, and yet to avoid technicalities and details which to some minds always appear complicated. Technicalities—details—complications are not merely incidental to this Bill, they are inherent in the subject, and in my opinion the sooner those who desire a reform of the land laws make up their minds to overcome the difficulties in detail the sooner we shall arrive at a satisfactory solution. To illustrate the objections gravely to this Bill on the ground that its technicalities preclude a tenant receiving compensation, I must refer to the speech of the hon. and gallant Member for Tipperary. Well, what is his objection? He says improvements are for the most part carried out on the "spur of the moment,"and he says that a man who suddenly takes his labourers away from one description of working, digging potatoes for instance, and puts them to level fences cannot bring his improvements within the scope of this Bill, because he has not served the notice required by the Act. Does the hon. Gentleman believe that this is a serious objection, or does he make it seriously? I certainly cannot undertake to answer it seriously. As I have already said, this Bill is not a settlement of the land question, but it is a step towards it—it is a step towards the improvement of the tenant's position—but neither would the Bill of last Session have been a settlement of the question, and of the two Bills, this one is infinitely a better measure. I do not say this in any desire to disparage the Bill of last year, but because I believe of the two Bills this is better to become law first. This Bill, if it becomes the law, will bring the means of improvement within the reach of the tenant in the most tangible and encouraging form, and it offers every reasonable inducement to the landlord to co-operate with and encourage his tenantry.

Mr. BAGWELL said, that Irishmen were very glad to see their English friends, and to offer them such hospitality as was in their power, but they did not want to see English capitalists settle in that country. There were some in his own county, who had neither added to their own happiness nor that of those around them by settling in Ireland, and who, moreover, had not done much for the improvement of the land. What was wanted was a law to give the tenant security for the possession of the land as long as he was able to pay his rent, and until they got that the question would not be settled. Now, he did not believe that the House of Commons wanted to settle this question at present, and it would not be till certain changes took place as to the parties occupying the two sides of the House that they could look for a reform. It was probable that when hon. Gentlemen now in opposition returned to power they would introduce a Bill not much better than the present; and that when the Conservative party after two or three such changes returned to office they would see the necessity of taking the initiative as they had done upon the Reform question. At present ninety-nine out of every 100 of the tenants in Ireland were under the political control of their landlords. While this was the case there would never be any great improvement in Ireland; but they should have Irish difficulties and Irish grievances Session after Session. The Bills before the House proposed to grant money to the Irish tenantry. There were an immense number of holdings in Ireland under £15 a year value; and not one of the tenants would ever, in his opinion, come to the Chancellor of the Exchequer and ask for a shilling. The larger tenants had plenty of money of their own, and could till the land without the aid of public money. The grazing farmers wanted few buildings; for many of them held the opinion that stock was better out of doors than indoors. If the Government could be induced to legislate for the people of Ireland—by which he meant the people as distinguished from the landlords—he believed that something like a settlement could be arrived at. The longer this settlement was delayed the more sweeping would be the change when it came. Last year the Reform proposition stopped at £7; now we were landed at household suffrage. In the same way, on this Irish question, the landlords had refused anything beyond tenure at will; they refused the thirty-one years lease; let this refusal be continued, and the landlords might find themselves landed in fixity of tenure, with their property turned into a ground rental.

Mr. SYNAN: The hon. Gentleman the Member for Maldon (Mr. Sandford) has taunted the noble Lord the Chief Secretary for Ireland with his inconsistency, and for what he calls his communistic principles and violation of political economy, as understood when the hon. Gentleman was a young and ingenuous Member of this House fourteen years ago, *ingenui vultus puer ingenuique padoris.* For my part I can see no violation of the principles of political economy in lending money to develop the agricultural industry of Ireland. I shall not taunt the noble Lord with his departure from the principles he so obstinately laid down last year in opposition to the Tenant Bill; on the contrary, I congratulate the noble Lord upon his conversion, and only regret that it is only a half-hearted one, and that he stops half way to the principles he avowed in 1852, and of the head of his Government in 1845. In 1845 Earl Derby (then Lord Stanley) brought in a Bill in the other House, after the Report on the Devon Commission was laid on the table, and although the present Bill follows the machinery of that Bill it departs from it upon the most important principle of notice for three classes of improvements. In the Bill of 1845 Lord Derby permitted the tenants to make all the improvements without notice. He made no distinction between different classes of improvements as this Bill does. In defending his Bill and this principle of not requiring a notice to the landlord, Lord Stanley said—

> "An absolute veto should not be given to landlords upon any class of improvement."

And again—

> "In well-managed estates such a veto may do no harm and it may be well to leave things alone, but this Bill is not intended for well-managed estates but for ill-managed estates."

And again he said—

> "The tenant is entitled to have compensation by money if he is evicted, or to have a duration of his term."—[See 3 *Hansard*, lxxxi. 1142.]

In my opinion there could not be a stronger condemnation of this Bill than the Bill and language of Lord Derby in 1845. I now come to the attempt of the same Government to deal with the question in 1852, and so far from standing upon the condition of requiring notice of improvements the Bill contained clauses, giving compensation for past improvements made within twenty-five years. And I may be allowed to say that the principle of retrospective compensation rests upon the most imperative justice, the soundest reason, and the highest authority. The practice in Ireland was, and always has been, for the tenants to make the improvements. Surely both reason and practice demanded that the Legislature should have protected that property which the tenants created, not against the will, but by the tacit consent of the landlord. Why was the landlord allowed to silently look on while the improvements were made, and afterwards (if any difference occurred between him and his tenant) appropriate to himself the improvements of the tenants? Would not such conduct be a violation of every principle of justice and fair dealing? And, yet, that has been done—nay, has been a practice, and the Judges of the Equity Courts in Ireland have been obliged to openly state from the bench, "that the law obliged them to administer injustice." But there are other high authorities upon the subject, both Liberal and Conservative. Mr. Drummond, one of the wisest and most statesmanlike officials that was ever connected with Ireland, speaking on this subject, said—

> "To trust to contracts to regulate future dealings is possible, while, for the past, it is evidently impossible."

Therefore legislation is more necessary for the past than for the future. Again, a noble Lord, not in favour of extreme views (Lord Dufferin), has said—

> "Unless the past is first dealt with it will be impossible to come to a settlement with respect to the future."

And Lord Donoughmore, in defending the Bill of 1854, and the clauses in it giving retrospective compensation, said—

> "For various causes the landlords of Ireland had been in the habit of letting land simply and not farms. . . . . whether something could not be done consistently with the rights of property to relieve this large class of persons in Ireland who had laid out their capital on bad titles."—[3 *Hansard*, cxxxi. 4.]

Now, I ask the Government of Lord Derby why do they depart from the principle of the Bill of 1852? It must be on either of two grounds—namely, that the claims existing in 1852 have been destroyed by eviction or by occupation for thirteen years, and that no claims have sprung up ever since. Now, as to the first, I do not think it will be contended on the part of landlords that they can equitably get rid of a just claim for compensation by eviction. And no person conversant with the subject can allege that thirteen years' occupation will pay for what it would require an occupation of thirty-one years, or forty-one years, or sixty-one years, according to the character of the improvement to exhaust. And, as to the second reason, every person acquainted with Ireland knows that claims have sprung up since 1852. I will come by-and-bye to another important particular in which the present Bill departs from the Bill of 1852. I leave the vacillating conduct and inconsistent policy of Governments upon this subject, and come to the great and important consideration of the imperative necessity for the settlement of this question, if you are to have peace, order, and prosperity in Ireland. My arguments on that head will not be based on any observations of my own, although I have considered the matter with some care, but on the authority of public men who, under the sense of responsibility, and with full knowledge of the facts, have pronounced this deliberate opinion that a satisfactory settlement of the land question is the foundation of all attempts at beneficial legislation for Ireland. The Report of the Devon Commission pronounces the state of the tenant question in Ireland—

> "The foundation of almost all the evils by which the social condition of Ireland is disturbed, and to which is to be traced those feelings of mutual distrust which separate the classes of landlord and tenant and prevents an united exertion for the common benefit."

That complaint has been repeated from 1844 to the present time by every statesman who proposed to deal with this question. And yet, notwithstanding this unanimous agreement of the necessity of settling the question, no real attempt (unless I may call that of Lord Derby in 1852 and that of the late Government so) has been made for a satisfactory settlement of this all-important question. I must refer the House to the language of the nobleman who, under the late Government, filled the office of Lord Lieutenant of Ireland, Lord Kimberley—a man whose character for statesmanlike views and great abilities is not confined to this Empire. Before he went to Ireland his views, I believe, were opposed to any change in the relation of the laws of landlord and tenant in Ireland. But when he went to that country and applied his strong intellect and full knowledge to the acquisition of the facts connected with the local condition of Ireland, what were his words? On his return from that country he thought it his duty to give to the House, of which he is so distinguished a Member, and to the Empire in which he filled so high an office, the results of his experience and of his observation while Governor of Ireland. He says—

> "It is impossible for England to perform its duty towards Ireland as long as no attempt is made to deal with the important question of the tenure of land."—[3 *Hansard*, clxxxiv. 2085.]

And again—

> "Ireland is a country with which English statesmen have been singularly unsuccessful in

dealing. But if we can devise any measure by which that country can be brought more into sympathy with the rest of the United Kingdom, by which we shall touch the hearts of the Irish people—which we have never yet touched—we shall add to the glory and strength of the Empire more than by any other measure we can possibly devise."—[3 *Hansard*, clxxxiv. 2085.]

And yet, notwithstanding the concurrent testimony of all statesmen, from Edmund Burke to Lord Kimberley, Parliament has been found unable to devise any measure to settle this question and bring Ireland more in harmony with the Empire. Is it any wonder that under such circumstances there should be discontent in Ireland? No; but it would be a wonder if there was not discontent in that country. And there is universal discontent in Ireland, and that discontent is attributed by all classes—the farmer, the labourer, the shopkeeper, the clergyman—to the land question. They all argue thus:—Ireland is an agricultural country, and while the land question remains as it is and improvements are not encouraged and protected by the law,

> "Want of employment will produce destitution, destitution turbulence, turbulence want of security, want of security want of capital, and want of capital want of employment."

These words were used over twenty years ago by Mr. Nicholls, who was thoroughly acquainted with the social condition of Ireland, and they are as true of her condition this day as they were then. Here is a complete circle of causes and effects mutually acting and re-acting upon each other, and all springing from the great original cause — the social condition of Ireland. Is it surprising that there should be discontent in Ireland as long as the Government and Parliament of this Empire for the past twenty years have shown themselves either quite incapable of understanding the condition of Ireland, or quite unwilling to remedy the admitted grievances of that condition? The Government of the country stands inactive, or proposes such abortive measures as the present, while emigration goes on increasing, transferring the Irish population to America, producing and increasing in that part of the world that anti-British feeling which exhibits itself in raids upon Canada, and attempts at insurrection in Ireland. I tell this House that as long as you do not dry up the source of this poisonous stream it will flow on, increased by tributaries that will swell into a mighty flood that may some day endanger the institutions under which we live, and dissolve the integrity of the Empire. I know it has been said by some persons who profess to be statesmen—and among others by the noble Lord who has brought in this Bill—that the land question has nothing to say to this state of things. I am sorry I cannot agree with such sanguine, and in my opinion, short-sighted persons; and I think I will satisfy the House before I sit down that it is the cause—the original and continuing cause—of the discontents that have culminated in Fenianism. Who are the Fenians, the real, active, energetic, trained and dangerous Fenians, who labour day and night to propagate their principles and their system? They are the returned emigrants. Who are the emigrants? They are the agricultural population of Ireland who have been leaving Ireland at the rate of 120,000 a year since 1861, and at a much more rapid rate before that period. As long as you by your present system of land tenure in Ireland allow that emigration to go on—you are increasing the ranks of the Fenians and propagating Fenianism. But I know it is said by some the land question is not the cause of emigration and that the late Returns of the number of civil bill ejectments in Ireland from 1860 to 1866 proves that. But the actual state of facts showed the contrary. According to these Returns there were 14,086 notices under civil bill ejectments served from 1860 to 1866. Of these about 8,778 were actually executed, making with 719 *haberes* from the superior courts 9,479 evictions actually executed. But as the proportion of decrees executed to the total evictions was as one to three, it would follow that from 1860 to 1866, 28,491 families, comprising about 170,946 persons, were dispossessed. This was about one in four of the emigrants from Ireland during the same period. If we allow the same proportion for the 2,376,157 reduction in the population of Ireland from 1844 to 1861—and surely every person will admit the proportion must have been very much greater—we have about 1,000,000 reduction of our population in Ireland actually produced by eviction alone, or directly from the operation of the land question. But there is another way in which we may arrive at a proximate result, that is, by the number of small holdings that have disappeared in Ireland since 1844. In 1841 there were 563,235 holdings from one to fifteen acres, and in 1864 only 258,405, or a reduction of 304,830 small holdings, containing a population of over 1,500,000 persons. There has been, of course, an increase of holdings over thirty acres, but still, I think the result may be safely stated thus, —that 1,000,000 of the population of Ireland has been actually evicted from land by the direct operation of the landlords since 1841. I hope I have satisfied the House that it is not true, as often stated, that the reduction of the population in Ireland and the emigration from that country are not connected with this question; but that, on the contrary, a great part of that reduction and emigration is the direct consequence of the present state of the land question. I now come to the present condition of the holdings in Ireland, and to the consideration whether this Bill is a practical settlement of the land question. There are at this moment the following holdings in Ireland:—1 acre, 48,653; 1 to 5 acres, 82,037; 5 to 15 acres, 176,368; 15 to 20 acres, 136,578; 20 to 50 acres, 71,961; 50 to 100 acres, 14,547; 100 to 500 acres, 8,303. There are, consequently, 307,028 holdings under 15 acres, 443,606 under 30 acres, and only 156,576 holdings over 30 acres, that is only one-third. I assume that the remedy should be made co-extensive with the evil, and I ask what is the evil? You are not asked to legislate for the large tenants alone—on the contrary, I have the authority of the right hon. Gentleman the Chancellor of the Exchequer for saying that the evil is the emigration of the Irish agricultural population. The right hon. Gentleman has called that emigration a "hæmorrhage to which a styptic is to be applied," since the use of those remarkable words the organs of the Government in Ireland have been making political capital out of them, and they are placed at the head of all their articles. I hope that they will not turn out as "oracular" as other clap-trap responses from the Treasury Bench. I deceive myself very much if I do not show to the satisfaction of the House that this Bill instead of being a styptic will become the application of a "lancet" to increase the hæmorrhage. No man is more conversant with the subject than the noble Lord. No man knows the state of things in Ireland better. No Member of this House is more competent to prepare a proper Bill on the subject. It is the want of will, and not the want of ability, that prevents the noble Lord from bringing in a proper Bill. The noble Lord's party in Ireland, from Lord Rosse down, do not want to settle this question. The tenant-at-will system is to be maintained, and to be maintained for political reasons. Now I ask the noble Lord this fair question—For whom, for what class of tenants does he intend this Bill? For the small class? They will not and cannot avail themselves of it. For the large class? They do not want it, and will not have it in its present condition. I have their authority for saying so. I hold in my hand resolutions in which they repudiate and reject it as worse even than the present system. This Bill cannot protect the small tenants under fifteen acres, and under thirty acres, who want protection, and it turns the farmers in Ireland of over thirty acres into stewards without the wages of stewards. I repeat, that any Bill on this subject must be made applicable to the present race of tenants in Ireland. That principle I hold to be an A B C political axiom. Is this Bill applicable to the present race of tenants in Ireland? Let us see. This Bill contains three classes of provisions — first, that tenants may apply to the Commissioners of Public Works for loans to be appointed under the Act by memorial. Commissioner may accept or reject, and if he accepts, the work is to go on under his superintendance and inspection, and if he approves of the work done he may give a certificate charging the form with the loan at 5 per cent for thirty-five years to be paid by the tenant. Second. If the tenant wishes to make the improvement at his own expense he may also apply by memorial, and if the commissioner approves, he may grant a certificate as in the former case. Thirdly. Neither the tenant nor commissioner can make or sanction improvements, first, to make fences; second, to make farm roads; third, or to build, re-build, or to enlarge farm holdings. Now, I ask the noble Lord this simple question. Will any of the tenants under fifteen acres apply under this Bill, or if they did or could would the commissioner approve of the memorial? The noble Lord is more ignorant of the class of tenants I mention, if he answers in the affirmative, than I believe him to be. Nay, I ask, will any of the tenants under thirty acres do so? The noble Lord knows well that they will not. What is the number of these tenants? 404,606, or two-thirds of the entire of the tenants of Ireland. Thus you exclude by your Bill the very people for whom legislation is most necessary, and their number is two-thirds of the whole tenantry of Ireland.

Could there be a greater condemnation of this Bill? Again, I ask, will the tenants between thirty acres and fifty acres apply by memorial under this Act? I distinctly say no. And what is their number? 71,961:—so that the only class of tenants this Bill would practically apply to would be the 70,000 tenants of fifty acres and upwards—that is, one-seventeenth of all the tenants in Ireland, and the very class that are independent, and do not want, and will not have such a law as this. But suppose the fifty acre tenant does apply under this Act, what will be the consequence? He wants to drain twenty acres of his farm, and asks for £150, the work is done in two or three years; for the three or four first years, during which the tenant is obliged to pay the rent-charge, the work does not pay. At the end of that period the farm becomes more valuable, perhaps one-half, perhaps one-third. The tenant is a tenant-at-will; the landlord is a bad and hard landlord, or falls out with his tenant, and he says to the tenant, "I must get an increase of rent or the farm;" and he compels the tenant under the 11th section to apply to the commissioner to buy the rent-charges. Thus he gets possession without paying 1*s*., and has only to pay the residue of the rent-charge for the resisidue of thirty-five years. This I call a premium on eviction. Is this the styptic of the Chancellor of the Exchequer? I call it a new way of increasing the hæmorrhage and depopulating Ireland. But, it will be said, no landlord of any character will do so? I answer in the words of Lord Derby in 1845—"We are not making laws against good landlords, but against bad landlords" If this Bill became law in its present condition, and if the tenantry of Ireland availed themselves of it (as they will not) the effect would be to get rid of all the holders of fifteen acres, and consolidate farms. I say and repeat, the effect would be to get rid of 307,628 holdings, or from 1,000,000 to 2,000,000 of people, the very number Lord Rosse says must be got rid of. But there is no fear of such a consequence, for I tell the noble Lord this Bill never will become law in its present shape, or, if it does, it will be just as worthless as the Bill of 1860; for the Irish tenants will not have it. If the noble Lord is sincere; if he is in earnest upon this subject; if he is honestly disposed to settle this question, let him introduce a clause that the tenant shall not be disturbed for the thirty-five years during which he is paying the rent-charge except for non-payment of the original rent. Why should not the tenant remain in possession while he is receiving the value and paying the costs of the improvement? If the noble Lord does what I ask him, I promise him that his Bill will not only pass, but be received with gratitude, and universally adopted and acted upon by the Irish people. Oh! what a change would come over the face of the country if the tenants were allowed to spend the £17,000,000 now locked up in the joint-stock banks, and expend it on the improvement of their farms which they were to occupy for the term during which they were paying the rent-charge under this Bill. If asked, what do I propose? I answer, turn this into a Tenure Bill as well as a Compensation Bill. This great question involving the prosperity—nay, the lives of a great portion of the Irish people, cannot be settled by a one-sided measure—you must make it complete. Protect the tenant in his occupation, or give him compensation, but do not give a compensation that will be an inducement to the landlord and a power in his hand to deprive the tenant of his farm or compel him to emigrate. I tell the House that the interests of the Empire demand that there should be a stop put to further emigration from Ireland. And I call upon the right hon. Gentleman the Chancellor of the Exchequer to make good his words. Let him not—

> "Keep the word of promise to the ear,
> And break it to the hope."

When I say that this question cannot be settled unless you deal with the subject of tenure I speak from high authority. I have the authority of the head of Her Majesty's Government. Lord Derby, in 1845, said—

> "The tenant is entitled to have compensation by money if evicted, or to have a duration of his term."

O'Connell (who knew the condition of the Irish tenantry perhaps better than any other man) said, in 1846—

> "The tenant should have the full value of his labour and improvements unless he gets a renewed lease."

And again, speaking on the Bill of 1846—

> "The attempt ought to be made to give the occupiers fixity of tenure by lease, words frequently assailed, but implying what was most desirable to accomplish for Ireland."

But I require no authority for such a proposition; it is the unanimous opinion of the Irish people—it is the universal voice of that nation demanding from this House the liberty and right of living in their native land. I beseech the House to be no longer deaf to that voice. I call upon them in the name, and in the interest of this great Empire, to arrest the tide of emigration, and disloyalty, and disaffection that is bearing away the Irish race from that island which is bound to England by the golden link of the Crown, but which this House is bound to connect with England by the ties that spring from the heart, the bonds that are formed by a common interest, a common prosperity, and a common glory. I have endeavoured to show to this House the nature of the measure that is demanded for the settlement of this question. I have proved by the Bills of former Governments, and the authority of the statesman who is at the head of the present Government, that the Bill is defective, illusory, and in some respects full of danger. I have taken no party view—I have spoken from my knowledge of the state of things in Ireland and of the character of the measure that is required to settle this question. Nobody knows better than the noble Lord the Chief Secretary that I have a right to speak upon this question, and that I speak with a certain degree of authority. On the last occasion I addressed this House upon the Tenant Bill of the late Government, I expressed my opinion freely, fully, and impartially. *Nullius addictus in verba jurare magistri.* I am supported by the authority of a great statesman in saying, "that the laws that are not backed by the general conscience of the community can have no permanent effect," and I now tell this House that this Bill in its present shape is not backed by the conscience of the Irish people for whom it is intended, and can therefore have no permanent effect.

MR. POLLARD-URQUHART said, that this question had been discussed for upwards of twenty years in that House, and though different Governments had expressed themselves ready to stand or fall by other questions in which the Irish people felt little sympathy, few had been willing to stake their existence as an Administration on a matter like the present, which was deeply interesting to the people of Ireland, and he hoped that like the Reform Bill, which had been only sixteen years upon the carpet, it would at last come to be treated independently of party considerations. He had learnt by experience to take whatever was acceptable in any Bill irrespective of what party it came from, though the measure itself might not contain all that he could have desired; and, after carefully studying the present Bill, he must say that, though it would not form a settlement of the question, it contained a great many elements of good. Besides enabling tenants to make improvements by the aid of a loan from the Government, it is also provided that compensation should be given them for certain improvements made by themselves without the consent of the landlord. That provision was a great step in advance. He hoped the noble Lord would consent somewhat to extend the period of charge beyond thirty-five years for houses. In Scotland there existed machinery by which landlords were enabled to borrow money to build houses and make a perpetual charge on the land; and if the noble Lord would consent to engraft such a principle on this Bill, altered so as to allow tenants to avail themselves of it with the consent of their landlords, he would confer a great benefit on the farmers of Ireland, and make this measure go much further towards a final settlement of the question. The building of a house, for instance, was an improvement which not only involved labour, but an actual expenditure of money, and a tenant would hardly be justified in laying out money in building a house for which his family would lose all claim to compensation at the end of thirty-five years. The hon. Member for Galway (Mr. Gregory) had said a great deal about the encouragement of leases; and he believed if they were more general the solution of the question would be much more easy; but he doubted whether it was altogether wise to mix up the two subjects, because the benefits contemplated by the Bill were for those who had not the security of leases. But that, after all, was a matter to be considered in Committee. He believed the more this question was considered, the more it would be found that so far from their interests being antagonistic, when landlords gave to their tenants such a security as induced them to improve, it would be found quite as beneficial to the one as to the other.

MR. PEEL DAWSON said, although this Bill had not created much excitement, or any great enthusiasm, it would, if passed, be the means of effecting great changes of a novel and very important character; and he considered it the duty of the House to take care that those changes were unaccompanied with any violent or dangerous innovations. It was with very great regret that in this matter, to a certain extent, he must differ from his noble Friend the Chief Secretary for Ireland, and any support he could give the Bill must be contingent on the assurance he received from him, or some other Member of the Government, that the improvements alluded to in Clause 7 should be placed on one uniform basis, and that the Commissioner should grant no certificate if the landlord continued to object to any of the six several heads enumerated in the Interpretation Clause. But he was not so sanguine as to entertain the belief that, even if the Bill passed, there was any chance of preventing further agitation in Ireland upon the subject. There were those who would be content with no reasonable or rational settlement short of the confiscation of all proprietary rights, and who looked to the possession of the soil, whether through Fenian or other agencies, without the control of the landlord or any acknowledgment of their title even in the shape of rent. To such no legislation would be acceptable or satisfactory; and this spirit was at the root of all Irish disorganization and discontent. He had no complaint to make of the tone of the Irish Members; but he could not for one moment sanction or encourage any such wild views as consistent with rational legislation on the question. He trusted that Parliament would not consent to any arbitrary pressure on landlords, or to the withdrawal from them of that authority and control which were necessary for the management of their estates. Permissive tenant right as existing in Ulster had, in his opinion, been productive of great advantage both to tenant and landlord, and sorry should he be to see it limited either in practice or by legislation, and it was very seldom that in changes of tenancy any case of grievance was either authenticated or substantiated. He did not collect from the hon. Member for Galway (Mr. Gregory) whether his proposal meant to provide compulsorily for leases; if so, he certainly could not join him in advocating concession to that effect. He must, however, express his decided preference for the system of tenure that existed in Scotland, where short leases of nineteen and twenty-one years were given direct to the tenant. He believed that was the best arrangement that could be made between the two parties, and afforded sufficient opportunity for realizing all the solid improvements made at the tenant's expense. The real cause why this system had not been extended to Ireland was the minute subdivision of land into small farms, and the inability of landlords to undertake the erection and maintenance of such buildings as would be subsidiary to the present system. He was once much struck by the observation of an eminent Divine, well known in Belfast, who proposed to settle the question of tenant right in two words, and those magic syllables were — "give leases." He hoped that the Amendment of the hon. Member for Galway was founded on the principle of voluntary leases; he should willingly give his adherence to the principles of the Bill, provided the alterations embodied in the Amendments of his hon. Colleague (Sir Frederick Heygate) were introduced. These, he thought, would correct any seeming injustice in the Bill. Still, he did not anticipate that it would become widely operative. He hoped to receive such assurances from the noble Lord as would enable him to consider the principle of the Bill an honest and trustworthy one; and under such circumstances, but under these circumstances only, he should hope to see its future progress steady and secure, and its enactment accomplished.

THE O'DONOGHUE said, he wished to correct a mistake into which the hon. Member for Galway (Mr. Gregory) had inadvertently fallen in erroneously attributing the saying that Fenianism could not exist in Ireland when butter was £4 the firkin to Mr. James O'Connell. That opinion, so far from having been expressed by Mr. J. O'Connell, had given him considerable annoyance. He gathered from the course pursued by the Government in this Bill either that they were incapable of dealing with the land question, or that they would not deal with it, or that the land question was understood neither by the Irish people nor by the Government, and that it neither could nor would be the subject of legislation. If Her Majesty's Government meant to avow their incapacity or their want of inclination to deal with the Irish land question, he would not dispute the accuracy of that avowal or censure their candour. If, however, the Government, by declaring that this Bill did not attempt to deal with the land question, meant to convey to the House the impression that there was no such question as the land question, or that that phrase had no well defined meaning, they were entirely wrong. In his opinion, however, the Bill dealt in a large manner with the land question. That question consisted of two distinct parts which, although closely related, were not necessarily contained the one in the other, and could be dealt with separately. The first and infinitely the most important concerned the improvement of the condition of the people who dwelt upon the land, and that portion of the subject was left untouched by the present Bill. The second related to the mere improvement of the soil. The latter was the portion of the land question with which the Bill proposed to deal. Her Majesty's Government were evidently of opinion that the occupiers had no right to a permanent interest in the land, and they brought in a Bill founded upon the preposterous assumption that although the tenants would have no permanent interest in the land they would invest their savings and their labour in its improvement. Tenants would soon learn that the Bill offered them no security for the capital it proposed to lend them for the purpose of improving the land. What security had they that as soon as the improvements were effected their rents would not be raised, if they were not at once evicted? Depend upon it if the Bill were passed it would soon become a dead letter, as none of the occupiers would care to avail themselves of its provisions. The Bill would lead the House to suppose that the real and sole want of the Irish tenants was want of capital, whereas their real and sole want was security for their capital when invested in the improvement of the soil. If the Irish tenants believed that they would be enriching themselves instead of somebody else, they would soon show that they lacked neither capital nor energy. The framers of the Bill, in effect, said to the tenants, "We are aware of your position—we know your landlord can turn you out, and we are resolved that he shall have that power as long as he thinks proper; but as we are anxious that the land shall be brought into a high state of cultivation, we will lend you money by which you will be enabled to till, and drain, and fence, and clear your land more effectually, and when you have worked and strained every nerve to enable you to repay the principal and interest of the sum we have lent you we shall be unable to tell you that your condition has been in any way improved; but this we can tell you—your farms will be more valuable to your landlords than they were before; they will bring a higher rent, and they will realize a larger sum in the Incumbered Estates Court." Such was the anxiety of the occupiers to obtain some security for the possession of their farms that they would gladly borrow under this Bill if by doing so they could obtain for their tenure even a moderate amount of stability. No tenants, however, could avail themselves of the provisions of the Bill without the consent of their landlords; and therefore they could not avail themselves of the measure in order to defeat or restrain the system of eviction which Her Majesty's Government held to be so essential to the prosperity of Ireland. No more unjust charge could be brought against the Bill than to say that it endangered the rights of the landlords; because it left both the landlords and tenants in their present position, as it left the latter in complete dependence upon the former for everything that made life desirable. The Bill held out to occupiers that which they would accept if they were utterly blind to their own interests, seeing that by borrowing the money to improve their landlord's property they would be merely increasing the rent they had to pay. He thought it ought to be clear to the House that such an attempt to deal with Irish farmers as if they were mere labourers was as unjust as it was shortsighted. There was not a single clause in the Bill on which a man of business or sense could rest his expectation of an adequate return. The Bill might be useful to tenants who had leases; but in Ireland leases to tenants were rare and could not be taken into account in considering the general effect of the Bill on the state of Ireland. It was impossible that the Bill could lead to the results anticipated by those who advocated it. The improvement of the land and the improvement of those who dwelt upon it were inseparable questions. Without the assistance of occupiers the land could not be improved, and the occupiers would not aid in any improvement unless it was made clear to them that they must be substantially benefited by these improvements. If they improved the condition of the people—if they gave occupiers a certainty of tenure and placed them beyond the caprice of landlords, they would soon bring their holdings into a high state of cultivation, and distrust and disaffection would disappear in Ireland. The great obstacle that had thwarted all their attempts at legislation on this question was tenancy-at-will. Sweep that away, and a new state of things would spring up. Tenancy-at-will had been an impassable barrier between the wisdom of Parliament and the wants of the people, for whatever Acts Parliament in its wisdom might have passed there was between Parliament and the people a power which virtually paralysed their action. How could they wonder at the disturbance and discontent of Ireland when the whole fabric of Irish society rested on the unstable foundation of tenancy-at-will? In a nation of tenants-at-will men could not be said to have either a home or a country. He was convinced that before any improvement could be effected in the condition of the people it would be necessary to abolish tenancy-at-will, and to substitute in its place security of tenure. What was wanted was a simple Bill which would effect that object. Nothing short of it would satisfy the Irish tenant, tranquillize the country, stimulate industry, or place Ireland in the road to prosperity. As it was, the Irish tenant felt that under no circumstances could his position be a worse one, and he, as a natural consequence, anxiously looked to the possibility of any change. He could not but regard the present state of the land question in Ireland with alarm, and he earnestly trusted that the House would deal with this subject justly and courageously. He should, on the present occasion, give his vote in favour of the Amendment proposed by the hon. Member for Galway, feeling that that Amendment, at all events, pointed in the right direction.

Mr. PIM said, he yielded to none in his conviction of the importance of this question to Ireland. It was, in fact, a question of much greater interest to the people of Ireland than the question of Reform was to the people of England. He did not think he was in the least exaggerating the case when he said that nineteen-twentieths of the population of that country felt that the laws relating to land were unjust in principle and injurious in their operation to the public welfare. It was not a question between Catholic and Protestant. The majority of the complaints which he received emanated from Protestants, and, in his opinion, the Protestant tenantry of Ireland had suffered more than the Roman Catholic tenantry; but the Protestant tenantry did not talk so much about it. The Protestant tenantry in the South of Ireland had diminished within the last fifty years in a larger proportion than the Roman Catholic tenantry. It was poor satisfaction to know that the evils which this Bill proposed to remedy were complained of by Protestants and Roman Catholics alike, still it was pleasing to reflect that the question was not a religious one. He did not believe that the interest of the landlord and the interest of the tenant were antagonistic. The land laws stood greatly in need of revision, and if that were done in a proper spirit, the position both of the landlords and of the tenants would be improved, and at the same time the condition of the country would be improved. He expected that the course which would eventually be taken would be one which would give a legal recognition to the rights of the tenants, and which would also afford increased facilities for maintaining the rights of the landlord. Some had objected to this Bill on the ground that it was special legislation; but that objection would not stand. The Montgomery Act was a case of special legislation for Scotland, and it had worked well for nearly 100 years. Another case of special legislation for Scotland was the Bill brought in by the noble Lord the Member for Haddingtonshire, with respect to the Game Laws, which proposed to give tenants a right to recover compensation for damage to their crops from the increase of rabbits, hares, and game on their farms. That was special legislation; but certainly he did not object to it. One of the two Bills introduced by the noble Lord was based upon the Scotch statute—the Montgomery Act—to which he had already referred, but it was not nearly so liberal; and he should prefer to extend the operation of that Act to Ireland rather than adopt the measure of the noble Lord. At the same time, he thought that the noble Lord had, by the introduction of these Bills, done service to the land question in Ireland. With respect to the Bill now before them — the Tenants Improvements Bill—he did not think it would meet the requirements of the Irish land question; but still, if certain changes were made in it, which he hoped to see introduced in Committee, he thought it would be a good and useful measure. The hon. Member for Tralee had shown in a very striking manner some of the objections to the provisions of the Bill; and the principal one was that there was no security for the tenant. He scarcely saw how the Bill could be made to work properly unless the security of a lease was given to the tenant. So strong did this objection appear to Mr. Caird, who might be considered an authority on the question, that he proposed, where the tenant had no lease, that the Legislature should secure him one for thirty-four years, while the loan from the Government was in the course of being re-paid. If some such arrangement were not come to there could be no doubt that the tenant would run the risk of having his rent raised according to the improvements effected. But, notwithstanding these objections, he hoped that the Bill would be read a second time, and that nothing would interfere with its passing into law. It would benefit only a small proportion of the tenantry of Ireland, but he was not sure that it would not benefit a large proportion of the land of Ireland, and he was sure that the land could not be improved without its producing a reflex operation upon those who tilled the land. He had received a letter from a tenant farmer, who said—

> "I hope the Bill will be in some points amended, but not defeated, and I shall feel it a great loss if, by a change of Government or otherwise, the Bill should be let drop. There are four or five persons, including myself, in this neighbourhood who would at once act upon it."

The writer went on to express his opinion that it was

> "With the middle and higher, but not with the lower, class of farmers that the Bill would be useful."

Whether the person from whose letter he had quoted held a lease or not he was unable to say, but he lived under a landlord in whom he placed great confidence, and under whose family he and his predecessors had held the same farm for more than 200 years. To the other Bill introduced by the noble Lord—the Land Improvement and Leasing Bill—several objections might be urged. Thus, the 13th clause enabled the successor to a property to call for a re-examination of what had taken place at the instance of the limited owner, even though an annuity might have been granted. To him it seemed that whatever inquiry took place in the first instance, and especially where an annuity had been granted, should be final. Again, with regard to the time allowed, it was scarcely to be supposed that any person would spend his own money and be satisfied with a twenty-five years' annuity, when he could borrow money from the Treasury and be allowed thirty-five years for re-payment. Another objection was that a limited owner was to be bound to have the consent of his successor before he could grant a lease in certain cases. Within whatever limits the ostensible proprietor could legitimately act, he ought to be at liberty to do so without any necessity for consulting the successor or any third party, otherwise the tenant could never be certain that he was getting a valid lease, or that all legal formalities had been complied with. The principle of both the Bills introduced by the noble Lord the Chief Secretary for Ireland he believed to be sound; and he thought with certain modifications they were likely to prove useful to the country. But they should be freed from some of the difficulties that at present surrounded their working; and with that object he appealed to the noble Lord to allow them both to be referred to a Select Committee. The Montgomery Act was passed for Scotland nearly 100 years ago, and on looking at that Act he found that every important clause was introduced with a preamble which ran thus:—"Whereas, such an improvement will be beneficial to the public." That was the true point of view to look at these matters—to be guided not so much by the interest of the landlord or even of the tenant, but by the interests of the community at large. It was as much a matter of equity to recognise the rights of the landlords as those of the tenants. But hitherto legislation had not respected the rights of the tenants; and the only way in which lawyers could protect the tenant was to throw difficulties in the way of enforcing the legal rights of the landlord, so that, in point of fact, the operation of the law was injurious to both.

SIR FREDERICK HEYGATE said, he felt it his painful duty to oppose the present Bill; but he would not do so on the ground taken by the hon. Member for Maldon (Mr. Sandford), for he felt that any one who held the difficult and responsible office of Irish Secretary in such times as the present might well be allowed to change his mind. For his part he gave the noble Lord the present Chief Secretary every credit for sincerity, and he believed he had brought forward this measure with a sincere desire to benefit the people of Ireland; but the noble Lord could hardly expect those who supported his Resolution of last year to be ready with equal facility to follow him in the course he was now taking. In a case of this kind it required the strongest reasons to induce him to support a measure which appeared to him to be destructive of the rights of property, by allowing one man to carry out improvements on another person's property without that other person's consent. Disguise the matter as they might—and the noble Lord had shown great skill in doing so—still the fact remained that these improvements were to be made without the landlord's consent. If this proposition were agreed to—if the landlord was to be put aside with respect to one class of improvements, why should he not be put aside with respect to all others? If Parliament allowed the tenant, by this Bill, to borrow money for drainage without the consent of his landlord, next year the demand would be made for the extension of that power to the case of other improvements. He was one who admitted the necessity of stopping the emigration from Ireland, which he regarded as one of the greatest evils that could befall a country; but it did not appear to him that this Bill was calculated to effect that desirable object. He had looked carefully at the Bill, with every desire to improve it, and he had put several Amendments on the paper, but the more he looked at it the more he was convinced that it was not only objectionable in principle, but also that it was one the working of which would be impracticable. If it were passed, he was sure it would remain a dead letter. The subject was not one to be approached in the spirit of party or political feeling, but should be dealt with in a spirit of compromise. The first improvement named in the Bill was draining. Why draining should be left to the tenant, however, he did not understand, because in England if draining were so left it was usually done badly. Nor could he understand the provisions of the Bill with respect to reclaiming land. No doubt that was often well done under a just landlord, who took care that the tenant was compensated either in money or by length of tenure, but it sometimes happened that mountain land was reclaimed which had better been left in its original state. The Bill was to be carried out by the Commissioners, and an enormous staff of those officials would be required if there was to be no limit as to the size of the farm in respect of which application was to be made; because, according to the noble Lord, there were 608,869 holdings in Ireland. If, on the other hand, the House did what he thought would be right, and limited the applications to farms of over £50, as there were only 35,955 holdings which came under that category, and as there would be a further deduction in respect of lands on which money had already been borrowed for draining, the operation of the Bill would be infinitesimal. Again, as to the maintenance of the improvements, how was it possible in an immense number of small farms to ascertain what extent of depreciation had taken place? He thought that any endeavour to come at the fact would create endless ill-feeling between landlord and tenant. Clause 14 of the Bill referred to the compensation to the tenant for labour. This in many cases would be very proper; on the other hand, there was great liability to abuse. He wished to know what was to be done in case it should turn out that a small farm was not able to repay the money advanced on it? Was it to be sold out of the middle of an estate? If not, was the Treasury to lose the advance? They had heard of the success of the small farm system in Switzerland, Holland, and Belgium; and it was argued that this system acted as a check upon emigration; but it should be remembered that in all those countries there was industrial occupation for the people apart from the cultivation of their farms. It was impossible for landlords in Ireland to act upon a general principle in erecting farm buildings, in consequence of the inevitable consolidation of small farms, the result of an increase in prices. In his opinion, the best plan was to let the landlords and the tenants settle their arrangements between themselves, without giving the landlord any special advantages. He should simply have the remedy of any other creditor. The prosperity of Ireland had everything to do with this cry about the land question; a bad harvest gave fresh impetus to the agitation upon the subject, but the best way was to deal with the interests of Ireland on general principles; it was by promoting the general prosperity of Ireland and not by lending money on small farms that the question could be brought to a satisfactory solution. The largest portion of the agricultural population of Ireland were the labourers; but the House had heard nothing of them. As to the question of leases, he did not believe that the granting of them would enable landlords to obtain higher rents than they at present received. Not long ago, indeed, the whole of Ireland was under lease, and the consequence was subletting and bad farming in every direction. Irish landlords were always spoken of as if they were devoid of common sense because they had not adopted the Scotch system of nineteen years, or anything of the kind. With regard to leases of thirty-two years, they would long before their expiry be converted into perpetuities, and the example of the Bishop's lands would be followed. In his opinion a system of leases for ten years or thereabouts would be best suited for Ireland; for he concurred in what had been stated that evening to the effect that it would be a good thing if Irish tenants had a permanent interest in the land. That and a system of equitable agreements in writing between landlord and tenant would probably meet the requirements of the case. He hoped the noble Lord (Lord Naas) would withdraw his Bill, which had met with no support on either side of the House. The passing of such a measure would have the effect of driving capital away from the country. Hon. Gentlemen who had spoken on this subject seemed to forget how immensely trade had been developed in Belfast and other parts of the North of Ireland; that coal could be imported from England, and that there was any amount of water power for the establishment of manufactures. They seemed to forget that the climate was favourable for other industries. Ireland should not be treated as if it could only be an agricultural country. Why, around Belfast the number of spindles in the flax trade had doubled within the last few years. The country ought to depend not upon agriculture alone, but on those other industries which had made other nations great and rich.

Mr. MONSELL said, that the position of the several parts of Ireland in respect of the relations of landlord and tenant were very different. If tenant right existed in the South and South-West as it did in the North the necessity for legislation on the subject would be very much restricted. The hon. Baronet who had just addressed the House (Sir Frederick Heygate) had referred to the dangerous position of society in Ireland at the present time. Now, it was precisely because discontent was widely prevalent that he ventured to appeal to his noble Friend opposite (Lord Naas) not to give up the Bill, but to assent to the Resolution of the hon. Member for Galway. The state of the country was most dangerous, and discontent prevailed in three parts of Ireland. One section—a small and insignificant one—placed no trust in Parliament, and were determined to resort to physical force. Another section representing the intelligence of the West and South-West of Ireland, feeling discontented with their position, trusted to the promises of Parliament made for twenty-one years by successive Governments. The discontent of the South-West had its rise in the insecurity of tenure. Tenants-at-will felt no security that they would be left in possession of their holdings. The statement of the hon. Baronet (Sir Frederick Heygate) as to leases being formerly granted in Ireland was not altogether correct, the fact being that the country was divided among middle men who had long leases, and who let out the land to the actual occupiers of the soil. The system of tenancies-at-will had been condemned by Lord Macartney, Edmund Burke, Arthur Young, and other eminent men; and the Devon Commission reported that one of the principal evils they had to complain of was want of proper tenure. The hon. Member for Maldon (Mr. Sandford) had remarked that people got on very well in England without leases, and asked why it was that they were considered necessary in Ireland. Now, hon. Gentlemen should bear in mind that there was a great difference between tenants-at-will in the two countries. In the first place, improvements effected by landlords in England were not effected by the landlords in Ireland; and secondly, there was not in Ireland that community of feeling and mutual trust between landlords and their tenants which was so general in England. The tenant in Ireland was in the position of a gentleman who went to hire an unfurnished house, and set about painting it. Would any wise man proceed to spend money to any extent upon an unfurnished house without a lease? Lord Rosse, writing on this subject, had said—

> "Landlords in Ireland do not give leases to their tenants on account of political differences between them. They wish to keep their tenants under subjection. The apprehensions of landlords as to the effects of giving leases are not unreasonable; and, so long as those apprehensions exist, landlords will be reluctant to give leases.

This passage struck at the root of the objection to giving leases in Ireland. The Rev. Dr. Moriarty, the Roman Catholic Bishop of Kerry, said—

> "Why leases are not given is not a matter of speculation, but a fact. They are withheld in order to concentrate political power in the landlord, and to annul the elective franchise; and this is done for the further purpose of maintaining the ascendancy of which the centre and the support is the Established Church, and which is fast embracing the whole social system."

He was not raising the question of the Established Church, but he was showing that there were reasons other than those connected with the land which prevented landlords giving leases. He hoped the Government would explain whether their objection to the Resolution was founded upon an idea that it in any way touched the rights of property. It did not propose to interfere with contracts; it left landlords and tenants free to make them; and all that it proposed was that when there was no written contract that which should be presupposed to exist by law was that which would be for the benefit of society in Ireland—namely, a lease for whatever period might be considered best. This would only be analogous to the law disposing of the property of a person who died intestate in the manner which the State deemed best for the good of society. He warned hon. Members that if they did not consent to the moderate proposition contained in the Resolution the time might not be far distant when they would have to submit to something far more stringent. ["Oh, oh!"] Those who said "Oh!" opposed a moderate measure of Reform last year, and were now obliged to submit to a far more sweeping measure, and so upon this question they might have to come to the House and say they had got a measure which would not work, and must impose one far more extreme in character. He entreated the Government to consider the present circumstances of Ireland and not to reject the Resolution.

LORD CLAUD HAMILTON desired to make an earnest appeal to the House. This Bill had been five hours under discussion, and every kind of extraneous matter had been imported into it. He appealed to the House to consider the real bearings of the measure, and not allow their minds to be carried away by the arguments of those who did not venture openly to oppose the measure, but tried to meet it with covert opposition. Let hon. Members consider the question fairly before them. For more than twenty years they had been told in that House that the tenantry of Ireland were not able to obtain compensation for the improvements they made on their holdings. Year after year they had been told that they must pass a fair compensation Bill—one which would meet the wants of the case when men were suddenly deprived of the proceeds of their industry and capital by the arbitrary action of the landlord. This Bill had been brought forward for the purpose of meeting that want. The House was called upon to say "Aye" or "No" to a distinct proposition whether such compensation were just and desirable, and he trusted hon. Members would not allow themselves to be led away upon any false issues. The question was whether, when a tenant had expended his money and his labour upon land, the Imperial Parliament should say that he should receive a fair equivalent for what he had expended. Yet, *in limine*, during five hours every objection had been urged against the Bill. He thought industrious tenants in Ireland had good reason to say that their loud-talking friends were not supporting their interests in the course of conduct they were following. The Bill, however, touched the susceptibilities of many in the House who were alarmed for the rights of landlords, and who, notwithstanding their former eloquence on the protection which the tenant needed, now raised false issues and endeavoured to prevent the House coming to an honest decision. The hon. Member who moved the Amendment said that he would not prejudge the Bill; but, at the same time, he must know perfectly well that if the Amendment were carried it would be fatal to the Bill. This was not a Bill which was proposed to settle the whole land question; but it was proposed as a straightforward attempt to settle some evident grievances. The title of the Bill stated that its object was to promote the improvement of land by occupying tenants by securing them money compensation. The tenantry were not capitalists, but they expended their labour on the land, and there was in the Bill a distinct provision that labour should be recognised and paid for. The Bill did not profess to settle all the questions affecting landlord and tenant. But there being a grievance and an injustice, the Government now proposed to remedy it, whereupon the so-called friends of the tenant drew a red herring across the scent and raised all manner of false issues. The question of leases was one to be entertained on its own merits; it might be properly raised, but should not be thrust forward in order to divert public attention from the subject-matter of the Bill. It had been said that leases were withheld for political reasons. Now, he had considerable knowledge of the North, and some, too, of the South of Ireland, and he could meet this statement with a positive contradiction. The hon. Member for Kilkenny (Mr. Bryan) said that this Bill was a feeble bid for popularity; but in almost the same breath the hon. Member who made this assertion added that no tenant would take advantage of the Bill. Of course, there was no consistency in such an argument. The hon. Member for Tipperary (Captain White), who had spoken with so much promise, seemed to think that the Bill would not enable tenants to employ profitably the £17,000,000 of money which they now had in the banks. But that was not so. They might, if they chose, put the whole of this money into the land. The Bill did not make the tenants merely a paltry offer of £1,000,000, but would give them security for the repayment of any money of their own invested by them in the soil. Several hon. Members talked of this Bill as not being a competent attempt to deal with the great land question, but none of them stated definitely what that question was. The House had no clear idea of what the great land question was, but they did know what compensation meant: yet when the Government proposed to deal with this definite question hon. Members objected because the Bill would not do what it did not profess to do. If those hon. Members did not like the principle of compensation to tenants, why did they not say so? He himself did approve of that principle, and therefore he supported the Bill. He appealed to the House whether they would allow Irish questions to be frittered away in the mode which was now attempted by those who supported the Amendment, which if carried could work nothing but the postponement, and, possibly, the entire defeat of this measure for the present Session.

THE O'CONOR DON: The noble Lord who has just sat down has taunted us on this side of the House with taking up five hours to no purpose. I do not know whether he is not himself open to a charge of complicity in this crime, for I confess I do not see the results of his speech. He tells us that the Resolution of my hon. Friend the Member for Galway is beside the question—that it is foreign to it—that this Bill is not at all the large measure we supposed it was meant to be—that it is a very simple Bill, dealing with one subject only, and that we were endeavouring to defeat it, not openly, in a manly way, but by a side-wind—by proposing a Resolution that has nothing to do with it. Our answer is simply this:—We believed from the Queen's Speech, from the speech of the Chancellor of the Exchequer to his constituents last winter, and from other speeches and statements, that the Government did intend to deal in a large and comprehensive way with the land question of Ireland, and we believed further that this Bill was the answer to their promises; and believing all this, and believing that it fell short of everything that could be called a settlement, we demand to extend it, so as to embrace the question of tenure, without which there can be no settlement satisfactory to the people of Ireland. We do not want to oppose the second reading of this Bill; we desire only to render it more satisfactory. As it is, it is in no sense a settlement. But I pass on from this part of the noble Lord's speech. He told us that on this side of the House we knew nothing of this Bill; that we showed a gross ignorance of its details, and that, in fact, we evaded the question. Well, Sir, I will try and deal with the Bill, with the Bill only, and regarding it merely as a Bill for providing compensation to tenants for improvements, I would ask, what does it really accomplish? When the Bill was first introduced, and on a cursory view of it, I frankly confess I was much impressed in its favour. It seemed to me to contain not only valuable principles, but also to originate very simple machinery by which the improvement of the soil of Ireland might be pushed forward; but the more I examined the Bill the more I found these impressions illusory, and I was obliged, with regret, to come to the conclusion that whatever good might be effected by the Bill, would be more than counterbalanced by its evil tendency. I say I came to this conclusion with regret, for I thought that the noble Lord—having admitted certain principles undoubtedly contained in the Bill, having admitted the necessity for legislation, having, I believe, honestly and sincerely taken up the question with the intention of satisfactorily settling it—was in a position to do far more than could be done by any Minister on this side of the House. To give the noble Lord, then, every assistance in my power was my most earnest desire, and no party consideration could for a moment induce me to throw any difficulty in his way when endeavouring to settle a question which, I think, can be best settled by a Conservative Government. But what is it this Bill proposes to do? It proposes to give to the occupying tenants of the soil in Ireland, whether leaseholders or not, a means for obtaining security for the value of any improvements made in or on the land whilst in their occupation. It goes even further than this. Not only does it provide a legal method by which the tenant's interest in his improvements may be secured, but it actually proposes to furnish him with the means of making them; for it proposes to lend public money to tenants, even to tenants-at-will in Ireland, for making certain classes of improvements set forth in one of the sections of the Bill. Well, in this appears at first sight, not only a treatment of the tenant with justice, but I would add, with the utmost generosity; liberality could hardly go further. Yet, I venture to think that with respect to nine-tenths, perhaps ninety-nine-hundreths of the tenants of Ireland, this would be a dead letter. I take for granted that with respect to the holders of small farms of land, tenants from year to year, these provisions would be wholly inoperative. Any one who knows that class of tenantry in Ireland must well know they would never go through all the forms necessary for obtaining this advance of money, or for registering any improvement they might make. They would not understand how to do it, and as this advance of money would necessitate an annual payment of interest, or what would seem to them an increase of rent, they would never, of their own accord, undertake it. I believe they would be wrong in this. I know it would be a short-sighted policy, but it is quite idle to argue on it. Any one who has to deal with this class of tenantry, knows perfectly well that they would never with a *bonâ fide* intention take advantage of the Act. Nor, indeed, do I see that the landlord of such tenants would permit them to raise this money, and for this reason. If the landlord believed that the proposed improvement was desirable, and that it would be well to raise public money to execute it, he would, naturally, raise the money himself, have the whole control over its disbursement, and as he was to have the responsibility of its re-payment, would like to see that it was properly and beneficially expended. But supposing the landlord to have no objection to the tenant's raising the money and executing the improvement, and supposing the tenant to understand thoroughly the mode of procedure, and to have no foolish prejudice against paying a fair interest for the advance, yet I would ask what is the inducement placed before such a tenant to take advantage of the Act? It is proposed, I believe, that money should be advanced re-payable in thirty-five years by means of an annuity of 5 per cent each year. Now, it must be quite evident that supposing the improved state of the soil lasted only thirty-five years, and that it equalled only 5 per cent per annum on the outlay, there would be no inducement either to the landlord or the tenant to raise the money or to make the improvement. The inducement held out to the owners of land in Ireland at present to raise money and improve their estates, is that the improvements last longer than the period during which the loan is repayable, and that they annually produce more than the annual sum required in re-payment of the loan. Under the present Land Improvement Acts, an annuity of 6½ per cent clears off principal and interest in twenty-two years; and if the money be well laid out in draining or reclaiming, it ought to yield 10 per cent per annum, and its effects ought to last long after the twenty-two years expired. Here, then, is the inducement held out to landlords to take advantage of the present Land Improvement Acts; but will tenants from year to year have the same incentive under the Bill of the noble Lord? Undoubtedly they will not. They may raise this money, they may make these improvements, but when they are made the landlord may take possession of them either by turning out the tenant or by raising his rent in the full proportion of the difference between the increased value of the land, and the annual charge to the Government. There is no security whatever that the tenant will gain the slightest advantage from these improvements, and although, to be sure, he is secured against loss, yet that is not sufficient inducement to hold out to him. The position, then, of the tenant from year to year is simply this—he may either lay out his own money, or raise money through the Board of Works, for the purpose of improving his land, and by this Bill he is secured against being a loser, but no security is given that he will be a gainer. It may be said that it is a great point to secure such a man against loss, tenants from year to year at present lay out money even without being secured against loss, and surely a Bill which gives even this security is, so far, beneficial. Far be it from me, Sir, to deny any merits which the measure possesses. I admit that it possesses this, but when we recollect that notices of the proposed improvements must be served on the Board of Works; that estimates must be made and examined; that the landlord must be consulted; that his attention will be drawn to the rent and to the change in it consequent on the charge for the money expended, I am sure no one who knows anything of the small farmers of Ireland will differ from me when I say that, so far as they are concerned, the Bill will have no effect. An individual tenant here and there may take advantage of it; but the instance will be very rare, and not at all such as would justify us in considering this a settlement of the land question. But how does it deal with regard to leaseholders? There is no doubt it holds out great advantages and inducements to improve, to the tenant. Indeed, the doubt in this case is whether it is fair to the landlord, for it allows the tenant to make certain improvements and to charge the landlord with their cost without the consent and even against the will of the landlord. Whether this is a fair or just principle I will not undertake to say. Of this I am sure, the landlords of Ireland would not consider it either one or the other, and they would take very good care not to subject themselves to its disadvantages. In Ireland, as I have said before, tenants under lease are rare exceptions. In the majority of cases land is set merely from year to year, and nearly all the complaints on the land question really have their origin in this want of any lengthened tenure. As I have said before, what I believe is really required is legislation which will promote the granting of tenure, and which will overcome this difficulty. But how will the present Bill work in this respect? It proposes to give great advantages to the leaseholders; it proposes to render them even more independent of their landlords than they are at present; it proposes to give them power to place a first charge on the landlord's fee-simple, without his concurrence, and even against his expressed wish. In one word, it proposes to hand over to the tenant leaseholders rights and powers which the bulk of the landlords of Ireland believe to be essentially theirs. Well, Sir, as I have said, we have at present very few leases in Ireland; but after the passing of this Bill, can we expect that a single new one will be granted? Is it to be expected that landlords will willingly, with their eyes open, thus put themselves in the power of their tenants? Not only does this Bill offer no inducement to leases, but it raises the strongest barrier to their being granted, and, in this respect, might justly be termed a Bill to prevent the extension of leases in Ireland. This is my strongest objection to it. Here, I believe it to be positively injurious, and its negative advantages are by no means a counterbalance for this evil. But, Sir, whilst this is my principal reason for opposing this part of the Bill, I must point out to the House that a principle more subversive than this is of all the rights of property, cannot be imagined. For the Bill in this respect is not only prospective, but retrospective. Landlords who made leases before the passing of this Act, without the slightest idea of its ever being proposed, will all of a sudden find themselves liable to charges which they could never have contemplated, over which they will have no control, and against which they can only uselessly protest. Can we imagine a more direct invasion of the rights of property than this? The noble Lord seems to me, indeed, to have a happy knack of embodying in his Bills principles utterly subversive of the rights he desires to maintain, and yet not permitting these principles to be carried out so as to be practically useful. Thus, in 1852, to a Bill of the most worthless character as regarded prospective improvements, he tacked on a retrospective clause practically worthless to the tenantry, yet subversive to the highest degree of the rights or privileges of the landlord. Now, Sir, I say, if we are to invade these rights or destroy these privileges, let us have something in return; let us have a measure which will reach not a few, but the great bulk of the people of the country—a measure not in the interest of mere isolated individuals, but for the benefit, the satisfaction, and the contentment of the nation. Sir, I agree with my hon. Friend the Member for Londonderry, that if we had general prosperity in Ireland we should not require these land Bills. I agree with him that if we had manufactures general all over the country—if we had a brisk trade, a commerce, and other employment for the people besides employment on the land, we might dispense with these debates. I further agree with him that we have many natural elements for the establishment of such a state of things in Ireland, and I would ask him why such establishment has not taken place. The reason is, because the people are discontented, disaffected, rebellious—because security is not suffered to exist in Ireland, and because periodical outbreaks destroy all that confidence which is essential to commercial enterprize. And this state of insecurity will ever continue until you give the occupier of the soil in Ireland some security for himself — something which he values to defend—something to make him love the Constitution under which he lives. To get commercial prosperity therein we must first have the country quiet and contented, and without dealing with the tenure of land this is impossible. I promised not to detain the House long; I will keep that promise, and will now merely reiterate my firm conviction, that on the settlement of the land question depends the peace, prosperity, and contentment of Ireland.

MR. READ remarked that the great defects in the Bill introduced by the right hon. Member for Louth last Session were, as he pointed out at the time, that it laid down no scale for determining the rate of compensation; that it did not register the improvements when made; and that it provided no machinery for deciding whether the works were necessary or had been properly executed. Now, the present measure introduced a third party in the shape of a commissioner, an independent man, who would say whether the improvements had been well carried out, and would also, he supposed, by his inspectors, instruct the tenants how they were to be done. He would, moreover, have the power of advancing Government money at a very liberal rate of interest. The hon. Member for Maldon had taken great pains to prove the inconsistency of the noble Lord (Lord Naas) in proposing this Bill, he having been the author of a Resolution adopted by a Select Committee in 1865, and of an Amendment in opposition to the measure of the late Government. He thought, however, the apparent inconsistency might be reconciled. Any one acquainted with agriculture must be aware that the multiplication of buildings, the making of new farm roads, and the construction of additional fences, though they might be deemed improvements as far as regarded a particular plot of ground, would in all probability militate against the general consolidation and improvement of an estate, and ought not therefore to be undertaken without the consent of the landlord. Reclaiming a bog, cultivating a mountain side, draining, when properly executed, and removing projecting rocks and stones, could not, on the other hand, but be suitable improvements for any land, and the landlord who objected to these ought to keep the farm in his own hands. He still held the opinion which he expressed last year, that all purely agricultural improvements ought to be paid for in the course of at least twenty-one years, and if he had any fault to find with the present Bill it was for being too liberal, for he thought that instead of extending compensation over a period of thirty-five years, with the payment of 5 per cent, the term might be contracted to twenty-one years, with the usual payment of 6½ or 7 per cent. Irish Members had said a tenant would not make these improvements unless he expected a return of 10 or 15 per cent, so that no harm would be done by such a restriction of time. It seemed to him that very exaggerated notions prevailed as to the amount of tenant right existing in England. No tenant right existed in England, for example, like that of Ulster. In some parts of the country, as Cheshire, a certain allowance was by custom made to tenants for boning, draining, &c.; and there was the notable example of Lincolnshire, where improvements were paid for on a certain scale. But there was no fixity of tenure, and every man was liable to quit at six months' notice; yet there was no part of the kingdom better cultivated. A speech of the noble Earl at the head of the Government had been quoted, to the effect that if a tenant who had drained his land received notice to quit, he could sue his landlord for compensation. But in ninety-nine cases out of 100 a tenant in England had no such remedy. A tenant's covenant, were very different things. He made certain payments for hay, straw, manure, &c., on taking a farm, and he expected to be repaid for the same on leaving it. He should be sorry to be understood as saying anything in disparagement of leases. As a Norfolk man he was bound to say that, in his opinion, there was nothing so advantageous to agriculture. The landlord always secured more rent. He knew, also, when to advance his rent, and he could look forward to the permanent improvement of his property. The tenant on his part enjoyed a certain independence under a lease, and had a chance of reaping what he had sown, which encouraged him to make a larger expenditure of labour and capital upon his land. If he were a landlord, he should not object to grant leases to intelligent, enterprizing, and prosperous tenants; but he should seriously object to grant leases where the tenants were poor and ignorant. He would rather by far allow the smaller tenantry to expend their own money under the Bill or to borrow of the Government than grant leases indiscriminately for twenty-one years. The suggestion that where no written agreement could be produced a lease of twenty-one years was to be assumed, was about as reasonable as to enact that if a man did not carry a certificate from a doctor to say he was sane he was to be held to be mad. Remarks having been made about the size of farms, he would express his belief that in England the largest estates were the best farmed, the lowest rented, and were let with the most liberal agreements in regard to cultivation. He believed Ireland was no exception to this rule. Large farms offered the fullest scope for the employment of capital and scientific appliances to agriculture. Small farms had their uses, for otherwise persons of small capital would have no opportunity of applying themselves to the cultivation of the soil, and the labourer would have no chance of bettering his condition by becoming a small farmer. He believed that if this Bill were passed, an immense stimulus would be given to the employment of labour, for where a large quantity of farms were in the hands of small occupiers, there was very little demand for agricultural labour, and wages were very low. If the Government would extend this Bill to England, he and the other tenantry of England would by no means consider it the act of effrontery described by the hon. Member for Tralee (The O'Donoghue). He would only add further that if the Irish tenantry were not content with this judicious recognition of their rights, there must be something of a social and political element in the question of granting leases in Ireland which he, as an English farmer, could not understand.

Mr. KENNEDY said, he had only known one difficulty, which the Legislature of this country was not capable of overcoming. That difficulty was Ireland, and the responsibility was upon England and not Ireland. The fact was, English Members took very little interest in the subject; yet the peace and prosperity of Ireland were of equal importance with the question which had occupied so much attention during the present Session. The Irish Members were charged with the responsibility of what occurred in that country; but he threw back the responsibility of the present state of Ireland upon the British Government and upon British representatives, for it was the interference of English Members and their votes in Irish affairs that had placed that country in her present unfortunate position. If a calculation were made of the improvements effected by the tenants since the confiscation of the land of Ireland, it would, he believed, be found that more than the value of the fee-simple had been paid for by the tenants. He maintained that the responsibility for the present state of Ireland devolved, from first to last, upon England. ["Question!"] Surely, the question was whether they had governed Ireland as they ought to have done? The question that had now to be decided was whether the proposed legislation was suitable to Ireland? He gave the Chief Secretary every credit for his intentions, and for certain good portions of his measure, though they were of a limited character; and, without departing from its principle, he thought the Bill might be made a good one for tenants who had leases. But he must protest against the unprotected position in which it would place the tenant-at-will. England had tried many experiments with Ireland; but it had not tried the experiment of doing common justice on the land question. In only one of the four Provinces of Ireland was the principle of property recognised as regarded the tenant; while in the other three the principle of confiscation prevailed. They knew what the consequences of these two different systems were in Ulster on the one hand, and in Leinster, Munster, and Connaught on the other; and if they would profit by experience they would extend the custom established in Ulster to the rest of Ireland. They had to reconcile proprietary rights with the right of the people to exist.

The ATTORNEY GENERAL for IRELAND (Mr. Chatterton) said, the Amendment which had that evening been moved seemed to him to have but very little connection with the subject-matter of the Bill which was under discussion. In dealing with that Bill he should not think it necessary to follow hon. Members opposite into a disquisition on the real or fancied grievances of Ireland. That was not the point on which the House was invited to pronounce a decision; nor was it called upon to effect a complete settlement of what was known as the landlord and tenant question in that country. He made that observation because the Amendment seemed to be founded on the supposition that the Government were introducing a measure which they regarded as affording a panacea for all the evils of which they had heard so much in the course of the debate. The Government, however, proposed to do no such thing. All they aimed at was to lay before the House for its acceptance a measure of a very practical and moderate character; and he hardly anticipated that when such a measure, calculated—as he believed very few would deny it was—eminently to benefit the agricultural population of Ireland, was introduced it would have been met, as it had been on the present occasion, not by a direct condemnation, but by a proposition, asking the House to take the preliminary step of pronouncing an opinion on the vexed question of the tenure of land in Ireland. Such a proposal he must characterize as altogether inopportune. What fate awaited any Bill dealing with that question must depend entirely upon its scope and nature; and the proper time to discuss such a Bill was when it was actually before the House. It was hardly to be expected, he thought, that Parliament would ever give its sanction to any measure making it compulsory on the landlord in Ireland to grant leases whether he wished or not. Few hon. Members, indeed, would be so rash as to advocate a proposal of that kind; and the hon. Member for Galway (Mr. Gregory) himself had stated that he did not approve the giving leases to all tenants indiscriminately—adding that, according to his view, some selection should be made. But how, he (the Attorney General) would ask, was an Act of Parliament to make any such selection? The hon. Gentleman had also spoken of a gradual approximation and a change; but he failed to inform the House in what that change was to consist. Was he in favour of a compulsory granting of leases, or did he advocate the removal of the obstacles to granting them which stood in the way of those landlords who were willing that they should be given? So far as he could see, the Amendment of the hon. Member had but little or no bearing on the measure before the House, although it might have some connection with that which stood next on the paper—the Land Improvement and Leasing (Ireland) Bill. For his own part, he should never be a supporter of any proposal which had for its object the forcing on the landlord the granting of a lease. And was it, he would ask, fair to bring about by indirect means that which the House would not directly sanction? Was it right to provoke the landlord and to place restrictions on him to accomplish indirectly the purpose of allowing the tenant to remain on his farm and giving him what was by some called security, and by others fixity in his tenure? But the hon. Member for Galway was followed by the hon. Member for Kilkenny (Mr. Bryan), who dissented from the restricted sentiments which he had expressed, and who gave it as his opinion that leases should be scattered broadcast through the country. The hon. Member for Clonmel (Mr. Bagwell) went further still, and openly avowed himself to be an advocate for fixity of tenure—for he contended that so long as a tenant pays his rent and taxes no one should have the right to disturb him. Was the House prepared to adopt that view and to indorse the proposition that a tenant might under those circumstances always retain possession of his farm, no matter how turbulent or how bad he might otherwise be, or how much the landlord might require his land? The present Bill would, he maintained, give to the tenant, if fairly worked, the right to secure prospectively payment for his improvements on favourable terms; and if it were passed into a law, the promoters of that agitation on the subject which had done so much mischief in Ireland would find their vocation gone, or the whole of their demands must resolve themselves into the plain and naked proposal that the property in the land should be transferred from the landlord to the tenant. Against the principle of the Bill, he might add, he had not heard a single objection from the other side of the House. On his own side some such objection had been advanced; but he thought he should be able to show that that objection was not well founded; and that the Bill did not attempt to interfere in the slightest degree with the rights of property. What was the nature of the measure? It in the first instance provided for the tenants a fund to be lent to them by Government if they chose to borrow it, with a term of thirty-five years for its repayment in instalments, and at the rate of 5 per cent. Was ever money, he would ask, lent on more advantageous terms? A former Act gave power to landlords to apply to the Secretary of State, through the medium of a public board, for loans, giving guarantee for their repayment. By this Bill every tenant, whatever his rank, could borrow money from out of the public funds for the improvement of his holding, instead of drawing a line, as was done in the Act referred to by the hon. Gentleman, beneath which such applications could not be made. Further, if the tenant had money of his own which he was willing to spend on improvements, he would be able under this Act to have a right of charge upon the land to the same extent as if he had borrowed the money from the public funds. More than this, if the tenant had neither money of his own, nor was willing to borrow the money of the State, but desired to expend his own labour or the labour of his family on his holding, then that labour was to be computed for his benefit at a money value, and in virtue of it he would have a charge upon the land. Surely there could be nothing more beneficial to the tenant than this. But the rights of the landlord had been discovered in the course of the debate; indeed, the principal opposition to the Bill had been based upon the fancied invasion of those rights. Now, he fully admitted that the landlord was entitled to as much protection as the tenant. But it was a mistake to suppose that there was anything in the Bill calculated to imperil his just rights. In the first place, he was protected by the ample definition of the word that was contained in the Bill. In the next place, notice of any intended improvements must be given to the landlord and his consent was required; and further, this notice had to be communicated first of all to the Commissioner, whose duty it would be to transmit it to the landlord. By means of that notice the rights of the landlord were admirably preserved, and on that point the landlord could not take objection to the Bill. With regard to the nature of the improvements which might be effected under the Bill, it was said that great injustice was done to the landlords. Now, he would be the last person to interfere unfairly with the rights of landlords; but, at the same time, he asked the landlords to consider whether anything unfair was really proposed, and to recollect that in all these matters there must be concession both on one side and the other. The first class of improvements mentioned in the Bill were the thorough or main drainage of land, the reclaiming of bog land, or reclaiming or enclosing of waste land or clearing land of rocks or stones, and the removal of useless fences. These were improvements in the land, necessarily adding to its productive power. The second class of improvements were improvements upon the land as distinguished from improvements in the land, and these consisted of the making of fences, the making of farm roads, and the erection of buildings. Against these last three kinds of improvement the landlord would have an absolute veto without assigning any reason; but it was thought that the Bill, without infringing unfairly on the rights of property, might go so far as to declare that the landlord should not have an absolute veto against the execution of what were improvements in the land, and tended to increase its productive power. A responsible Commissioner was interposed as a kind of judicial officer to ascertain whether or not the three kinds of improvements in the land mentioned in the Bill should be made or not. The Commissioner was bound to hear both landlord and tenant; and if he thought that the improvements which the tenant had given notice of ought to be carried out, and was satisfied that the public money was sufficiently secured, he must decide on the matter, and the landlord was not to interpose an absolute veto. That did not appear to be an unreasonable or unfair arrangement as regarded the rights of the landlord; but if the House thought that such a provision ought not to be introduced it was a matter which did not go to the principle of the measure, and the Bill would still work well if the veto of the landlord were allowed in every case. It was scarcely conceivable that a landlord would be so blind to his own interest as to pass an absolute veto on that which would be an improvement to his own estate. If this was considered to be, as he admitted in some sense it was, an infringement on the rights of property, it was not in the slightest degree essential to the carrying or working of the measure, and they would be prepared to give it up if in Committee it should be considered a restriction that ought not to be retained. The fullest notice was to be given to the landlord in every case and the Commissioners were to see that the improvements were really carried out. Provision was also made for the maintenance of the improvements when made. If the tenant did not keep up the improvements he would be the party to suffer, for a deduction would be made from what he would otherwise have been entitled to. They were not proposing to make a loan of Government money to the tenant, but to the land; the land was to be the borrower, and the land was to bear the burden of payment, no matter who might be the tenant. He spoke with some confidence, then, when he said that this was a Bill that ought to receive a second reading. It was a good practical measure, considerate and beneficial towards the tenant, and not unduly interfering with the rights of the landlord. The Amendment proposed by the hon. Member for Galway was not in any way germane to the subject-matter of the Bill. However important in itself, it was impolitic to make it a preliminary to the present discussion. He therefore trusted the Bill would be read a second time, and that they would be allowed to consider in Committee the details best calculated to carry out the object which they all had in view—facilitating improvement by the tenant while preserving the rights of the landlord.

Mr. Serjeant SULLIVAN said, that the right hon. and learned Gentleman had told the House at the commencement of his observations that this Bill was never intended to settle the land question, and that those who regarded it as a settlement of the land question were under a great mistake. Why, then, did Government bring forward as a great question like this a measure which was not intended to settle it? He should have expected that the Government in bringing forward a Bill would have stated that in their opinion it would settle the question. If they flung on the table a Bill not intending to settle it they were dealing with the question in an illusory manner. He must say he thought the question had been approached in a most narrow and niggardly spirit. When his right hon. and learned Friend said the Amendment was not germane to the question, he only established what on a former occasion he took credit for having said that he did not understand the main question. The questions of compensation and tenure were intimately connected, and one would not be settled without the other; and a fairer principle for adjusting that settlement could never be laid down than that of the tenant being allowed to remain in possession until he obtained compensation by that possesion for the value of what he had laid out. The question was not whether the noble Lord had changed his opinion. Perhaps he had been too rudely assailed by the hon. Member for Maldon (Mr. Sandford). He thought the noble Lord had acted very much on his former convictions in bringing in so niggard a Bill as this. The question before the House was not whether the present Bill, or the Bill of the late Government was the best measure. What the people of Ireland required was a good measure; and the question was whether this Bill, which excluded the question of tenure, could be considered satisfactory. He thought the Amendment, which declared that no measure could be satisfactory which did not give the encouragement of leases, was as mild a proposition as could be brought forward. The right hon. and learned Gentleman took credit to himself and the Government for having for the first time proposed to enable tenants to obtain public money for the purpose of improvements. Hitherto, he said, only owners of land were able to get advances for improvements. But this was an error. By the Act of 1847 tenants who had an unexpired lease for twenty-five years might obtain money for the purpose of improvement on certain conditions; but so complicated were the conditions and the machinery that the Act had become a dead letter, and so he believed would the present measure. That Act, by the Act of Victoria, was extended to buildings and farm dwellings. But how many applications had been made under the 7th section? He believed it had never been acted upon at all, for the clause provided that no loan should be granted until security was given to the satisfaction of the Commissioners. In the case of a tenant from year to year, if he made a bad improvement the charge would fall upon the land; and if it turned out to be a good improvement, he might be served with a notice to quit. For a measure of this kind to be properly framed the landlord must give up some of his rights in order that his land may be improved. The Bill of last Session would have been of the greatest advantage to the landlords, because it was only in cases where the expenditure by the tenant had improved the rateable value of the land that compensation was to be made by the landlord in case he evicted the tenant. The Bill could not in any respect be considered as anything even approaching to a settlement of the question; and he regretted that the moderate Amendment proposed by the hon. Member for Galway should have been met with so strong an opposition.

Mr. GRAVES moved the adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Graves.*)

Mr. CHICHESTER FORTESCUE hoped that the noble Lord opposite would not assent to the adjournment of the debate. The had had a very long debate upon the Resolution moved by the hon. Member for Galway—a Resolution which, in his opinion, was entirely germane to the subject before the House. The question had been thoroughly investigated, and hon. Members on that side of the House were anxious to come to a vote upon it that night. If any hon. Gentleman was desirous of speaking upon the Bill, he would have full opportunity of doing so.

MR. GRAVES said he had moved the adjournment of the debate because the question was one of great importance, and ought not to be discussed after midnight. Besides, there were several Amendments on it to be debated.

LORD HENRY THYNNE hoped the House would not consent to the adjournment of the debate. After the statement made last year by the noble Lord the Member for Cockermouth, he did not think that the present Bill could hold water.

LORD NAAS: I can only say that it is the intention of the Government to go on with this Bill, and to endeavour to ascertain at the earliest possible moment the opinion of the House upon it. Had it been the desire of many hon. Members to address the House upon the question, I should certainly have been prepared to support the Motion of the hon. Member for Liverpool for the adjournment of the debate; but as there appears to be a general opinion that the division should be taken to-night upon this question, I do not see how I can consent to that Motion. And now, as to the course I propose to take with regard to the Motion of the hon. Member for Galway. I do not understand that that Motion is intended to upset and to destroy the Bill; but I think that it is a very great mistake on the part of the House to mix up these two questions together. The Bill I have proposed deals solely and entirely with the question of compensation to the tenant, and I believe that if it passes into law it will be of the greatest possible advantage to the country, and that it will go a long way towards settling the tenant question; although, perhaps, not in the sense in which many hon. Gentlemen who have spoken to-night would wish, seeing that it will not in any way give fixity of tenure or long leases under legislative sanction to the tenant. Still, in my opinion, it will prove most beneficial to the industrious tenant and a great boon to the Irish tenantry. It would be impossible at this hour of the night (a quarter past twelve o'clock) to go fully into the principle of the Bill; but I may say that I shall oppose the Motion of my hon. Friend the Member for Galway, because I believe that it proposes to mix up two subjects which are essentially distinct. Still, if the House should think otherwise, I shall not regard their decision as a ground for abandoning the Bill. On the contrary, I shall then be glad to see how my hon. Friend proposes to carry out his project, and to see the nature of the clauses which he will doubtless bring forward to give effect to his Motion, which, if carried, I shall esteem simply in the light of an Instruction to the Committee. My own opinion is that these two subjects should be dealt with separately, and in opposing the Motion of my hon. Friend, I only do so for the purpose of proving that in my opinion it is not for the advancement of this question that the two subjects should be joined together. I will only repeat that I shall be curious to see the clauses which my hon. Friend proposes to add to the Bill, and can only hope that they may be such as will commend themselves to the majority of the House.

MR. NEWDEGATE supported the Motion for Adjournment, considering that the proper time for moving the Resolution was in Committee, and not on the second reading of the Bill.

MR. CONOLLY apprehended that according to the forms of the House the Speaker would have put the Question, "That the words proposed to be left out should stand part of the Question," and that if that had been decided in the negative the Bill of the noble Lord would have been lost. He thought this Bill intrinsically bad, and he believed a large party in the House thought so too; and he thought that the decision ought to be taken "Aye" or "No" on the second reading.

MR. GREGORY said, that his Amendment simply advocated the encouragement of leases, and did not mention anything about fixity of tenure or the establishment of long leases. He declined to bring up any clauses as suggested by the noble Lord, reserving that honour until he sat upon the Bench occupied by the noble Lord and his Colleagues.

SIR RAINALD KNIGHTLEY was anxious to support the Amendment of the hon. Member for Maldon (Mr. Sandford), and desired to learn from the Speaker how he was to vote in order to give effect to his intention. Was he to vote "Aye" or "No?"

MR. SPEAKER: I believe that the hon. Baronet might have ascertained from the hon. Member for Maldon, who sits at his side, what course he should pursue. The first Question that I shall have to put is "That the words proposed to be left out stand part of the Question." If that is decided by a majority of the "Ayes," the Question "That this Bill be now read a second time" will stand. If it is negatived, then will come the Question what words shall be supplied, and it will then be open to the hon. Member for Maldon to propose the Amendment which he has placed on the paper.

Mr. GRAVES said, he would withdraw his Motion for the Adjournment.

Motion, by leave, *withdrawn.*

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Question proposed,

"That the words 'without prejudging the Second Reading of this Bill, this House is of opinion that no enactment for the settlement of the Landlord and Tenant question in Ireland can be deemed satisfactory which does not provide for the encouragement of leases in that Country,' be there added."

Mr. SANDFORD moved that all the words after "opinion" be left out, in order to insert the words—

"No property should be charged with the repayment of loans advanced for the purpose of making improvements except such improvements be made with the consent of the landlord."

Amendment proposed to the said proposed Amendment, by leaving out all the words after the word "opinion," in order to add the words,

"No property should be charged with the repayment of loans advanced for the purpose of making improvements except such improvements be made with the consent of the landlord,"—(*Mr. Sandford*,)

—instead thereof.

Question put, "That the words proposed to be left out stand part of the said proposed Amendment."

The House *divided* :—Ayes 104; Noes 108: Majority 4.

Question proposed,

"That the words 'no property should be charged with the repayment of loans advanced for the purpose of making improvements except such improvements be made with the consent of the landlord' be there added."

Lord NAAS said, the Question then before the House was totally different from what had been under discussion during the whole evening. For himself he objected to both Amendments. He had been charged with inconsistency in respect of the course he had pursued last year, and this with reference to this question. The principle contained in his Motion of last year was perfectly sound, as contrasted with the Bill of his right hon. Friend (Mr. Chichester Fortescue); but the Government were of opinion that such a slight deviation from the principle laid down last year as was proposed by the present Bill might with propriety be acceded to. The difference between the two descriptions of improvement was this:—The Government believed that everything which was done on the land ought to be done only in conformity with the consent of the landlord; because considerable differences of opinion might arise between the landlord and the tenant as to the beneficial effect of such improvements. Everything, on the contrary, that was done in the soil could occasion no similar differences of opinion, and therefore, as no injury to the landlord could arise, the Government thought they were safe in permitting such improvements to be made without absolutely requiring his consent. It must be borne in mind that in every case notice of these improvements must be given to the landlord, who would have the opportunity before the Commissioner of consulting with his tenant, and if he could show that the proposed improvements would be otherwise than beneficial to the soil, or would be such as would not add a proportionate amount of value to the soil, then, beyond all question, it would be in his power to prevent the improvements from being made. If it were possible that injury could result to the landlord, then he admitted that the principle of the Bill would be a bad one; but being framed so as to bring about an amicable consultation between the landlord and tenant before any improvements were made, he believed that it would tend greatly to facilitate tenants anxious to improve *bonâ fide* in coming forward for that purpose. The whole object of the Bill was to endeavour to get landlords and tenants to combine for the purpose of effecting these improvements, and, as framed, he believed that it was eminently conducive to this object. As to saying that under this Bill improvements could be made that would be otherwise than beneficial to landlords, he maintained that it was a perfect absurdity. He believed that not a single landlord in Ireland, which unless he were a lunatic or an idiot, would attempt to object to the class of improvements proposed by this Bill. The House, therefore, would do well, in his opinion, to go into Committee on the Bill and consider its details, for in such matters the really important points were questions of detail. Whether the absolute consent of the landlord were insisted upon or struck out of the Bill, in practice he believed that it would make little difference; but as one course was less restrictive than the other he should vote against the Motion of the hon. Member for Maldon.

Mr. CHICHESTER FORTESCUE said, that at that time of night, he would not give any detailed reasons for the opinion which he entertained that his noble Friend had failed altogether to vindicate his own consistency in introducing a Bill this Session, the principle of which directly contradicted his Motion of last year, and the Resolution which he had proposed in the Select Committee only two years ago. The Bill now before the House involved a more serious and vital departure from the ordinary principles of legislation than anything contained in the Bill of the late Government, and yet was not calculated to attain for the mass of the people any one of those benefits which could alone justify such a departure. His hon. Friend the Member for Galway (Mr. Gregory), and those who supported him, had reason to complain of the way in which the Government had manipulated the divisions. The result of those somewhat complicated manœuvres, which, till a few moments ago, he confessed he did not thoroughly understand, was that it had been made impossible for the House to pronounce any opinion upon the Resolution of the Member for Galway. The Government, consequently, would succeed in getting rid both of the Motion of the hon. Member for Maldon and of the original Resolution, which, if properly submitted to the House, would have been carried by a large majority.

The CHANCELLOR of the EXCHEQUER said, the right hon. Gentleman gave Her Majesty's Government credit for an amount of dexterity to which they could fairly lay no claim. What had happened was the result of good fortune, not of any arrangement on their part. He must complain, however, that the House having spent the evening in discussing a particular question was now about to be hurried into a division on the Bill itself, the general merits of which had never been discussed. Merely uttering his individual opinion, he thought the debate had better be adjourned.

Mr. FITZWILLIAM DICK moved the adjournment of the House.

Mr. NEWDEGATE said, the effect of rejecting the Motion of the hon. Member for Maldon would be to affirm that improvements in Ireland, unlike England, should be made without the consent of the landlord. That would be a novel and startling proposition. He accordingly supported the Motion for Adjournment.

Mr. CHICHESTER FORTESCUE believed that, according to the forms of the House, the Bill could not be read a second time that evening, but hoped the Motion of the hon. Member for Maldon would be at once disposed of.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Dick.*)

The House *divided*:—Ayes 115; Noes 97: Majority 18.

Debate *adjourned* till *Monday* 13th May.

TRAMWAYS (IRELAND) ACTS AMENDMENT BILL.

On Motion of Mr. Monsell, Bill to amend "The Tramways (Ireland) Act, 1860," and "The Tramways (Ireland) Amendment Act, 1861," *ordered* to be brought in by Mr. Monsell and Mr. Sherriff.

Bill *presented*, and read the first time. [Bill 125.]

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Tuesday, April 30, 1867.

MINUTES.]—Supply—*considered in Committee* —New Courts of Justice and Offices (£402,000).

Public Bills — *Ordered* —West India Bishops and Clergy*; Vaccination*; Roman Catholic Churches*; Schools and Glebes (Ireland).*

First Reading—West India Bishops and Clergy* [126]; Vaccination* [125]; Roman Catholic Churches, Schools, and Glebes (Ireland)* [127].

Committee—Libel (*re-comm.*)* [112] [r.p.]

PUBLIC WORKS COMMISSIONERS.

QUESTION.

Colonel FRENCH said, he wished to ask the Secretary to the Treasury, Why the Report of the Public Works Commissioners for the last year has not been laid upon the table of the House?

Mr. HUNT replied, that the accounts which were embodied in the Report of the Commissioners were now made up to the end of the financial year, and it was obviously impossible that the Report could be laid on the table so early as the present moment; but he hoped it would be ready in the course of a few days.

IRISH AND SCOTCH REFORM BILLS.

QUESTIONS.

Mr. STACPOOLE said, he would beg to ask Mr. Chancellor of the Exchequer, When the Irish Reform Bill will be introduced?

[Sir Robert Anstruther had placed upon the paper a similar question with regard to the Scotch Reform Bill, and Mr. Oliphant also had given notice of his intention to ask Mr. Chancellor of the Exchequer, Whether, there being no compound-householders in Scotland, he proposed in the Scotch Reform Bill to give the franchise to every ratepaying householder in Scotch burghs?]

The CHANCELLOR of the EXCHEQUER: Sir, I will answer the Question of the hon. Member (Mr. Stacpoole) with great pleasure, and I will, at the same time, take this opportunity of answering the two other Questions bearing upon this matter which stand on the Paper. We think that the Scotch Reform Bill is rather more pressing than the Irish, seeing that there was an Irish Reform Bill passed at a comparatively recent date. I may, however, say that the Irish Reform Bill is in preparation. With regard to the Scotch Reform Bill, I hope very soon to produce it; but it is necessary before I do so that some progress should be made with the English Reform Bill. With regard to the Question of another hon. Gentleman (Mr. Oliphant), which comes next upon the Paper, I think it would be more convenient that the provisions of the Scotch Bill should be known when I make the general statement, rather than I should answer interrogatories of this kind with reference to some single provisions. I am quite aware that there are no compound-householders in Scotland; but I scarcely think that Scotland is a country that ought to be condoled with on account of that circumstance.

NEUTRALITY OF LUXEMBOURG.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any suggestion that this country should enter into any guarantee for securing the future political neutrality of Luxembourg has been made to, or entertained by, Her Majesty's Government during the late Communications on the subject?

Lord STANLEY: Sir, a great many communications, practicable and impracticable, wise and foolish, have been addressed to me by various persons upon the subject of Luxembourg in the course of the last few weeks; but all arrangements which will regulate the political future of that State must be made in the Conference. And I may now say that I have every reason to hope that Conference will meet at a very early date. I do not think it would be my duty to anticipate what will be there discussed; but I think my hon. Friend has forgotten one fact of which he is, of course, aware—namely, that during the last twenty-eight years, since the Treaty of 1839, Luxembourg has been under a European guarantee, to which England is one of the parties. It is in the character of signitary to the Treaty of 1839 that we are now invited to discuss the future arrangements connected with Luxembourg.

IRELAND—ANTICIPATED DISTRESS IN GALWAY.—QUESTION.

Mr. GREGORY said, he wished to ask the Chief Secretary for Ireland, Whether any Report has reached him as to the probability of serious distress in the western part of Galway during the summer; and whether he has ordered any inquiry on this subject?

Lord NAAS said, in reply, that the only information which had reached him on the subject had been received from a gentleman of considerable importance in the district referred to. He had referred that letter to the Poor Law Commissioners, who would immediately institute an inquiry into the accuracy of the statements it contained.

IRELAND—COURT OF EXCHEQUER.

QUESTION.

Lord DUNKELLIN said, he wished to ask Mr. Attorney General for Ireland, Whether, with regard to the vacant Mastership of the Court of Exchequer, it be intended to adopt the recommendation of the Royal Commission on the Courts of Common Law and Equity, who in their Second Report stated that one Master was sufficient for the three Law Courts?

THE ATTORNEY GENERAL FOR IRELAND (Mr. CHATTERTON) said, in reply, that the subject was under the consideration of the Government, but no definite conclusion had been finally arrived at; he hoped, however, in a short time to be better prepared to answer the question.

NATIONAL DEBT BILL.—QUESTION.

MR. H. B. SHERIDAN said, he would beg to ask Mr. Chancellor of the Exchequer, What day he proposes to bring on this Bill, as it would be utterly impossible that the discussion upon the Amendment he (Mr. H. B. Sheridan) had proposed upon that Bill with reference to the further reduction of Fire Insurance Duty could take place on Thursday next?

THE CHANCELLOR OF THE EXCHEQUER: I think, Sir, it would be impossible to take this Bill on Thursday. I wish to bring it forward as early as possible, and I will endeavour to give as ample notice as I can, and, indeed, private notice to the hon. Gentleman.

FACTORY BILL.—QUESTION.

MR. BRIGHT: Sir, last night I made a suggestion to the Chancellor of the Exchequer in the absence of the Home Secretary with regard to referring the Factory Bill to a Select Committee. I now see the right hon. Gentleman (Mr. Walpole) in his place, so perhaps he will state what determination has been arrived at on the subject. I understood that probably the Government would be willing to consent to adopt that course, and if they did so I think it would be satisfactory to all concerned?

MR. WALPOLE: On Thursday I will state what course I intend to pursue in connection with this matter. Probably I shall go into Committee *pro formâ* in order to insert certain Amendments, but by Thursday I shall be able to definitely state what I propose to do.

ARMY—PURCHASE OF COMMISSIONS.

RESOLUTION.

MR. TREVELYAN: Sir, in rising to bring before the notice of the House the question of purchase in the army, I cannot but be conscious that those Gentlemen who were Members of the last Parliament must draw in their own minds a very unfavourable comparison between myself and that most distinguished and popular officer to whom this question used as of right to belong. Sir De Lacy Evans was then approaching the close of an exceptionally brilliant and prolonged military service, while his unworthy successor is at the commencement of a sufficiently obscure civil career. But, Sir, the most necessary qualification for any one who aspires to enlist in this crusade against purchase is that he should be young, because the service partakes of the nature of a forlorn hope which promises to last many years. Any one who has passed middle life must be a very sanguine man if he looks forward to seeing the promotion in the English Army administered on a mixed system of selection and seniority. It is true, indeed, that the noble Lord the Member for King's Lynn (Lord Stanley) in the Session of 1862 closed a most able protest against the purchase system with these words—

> "I venture to say that in less than a quarter of a century not one rag of the system of appointments by purchase will remain in the English Army."

I can only hope, in my case for my own sake, in his for the sake of his country, that both myself and the noble Lord will live to see that wished-for result. Army purchase has already survived many of its earliest, ablest, and most zealous opponents. It has seen out Lord Clyde, who was one of its most uncompromising enemies. It has seen out, I fear, the public life of Sir De Lacy Evans.

Sir, there is no subject which at present occupies the public imagination more strongly than the question of national defence. Few Gentlemen, on whichever side of the House they may sit, will deny that in the present alarming condition of the Continent, we, like others, should be prepared for the worst; and that we should aim at providing ourselves with such a fighting equipment, both by land and sea, as will discourage attack, and give a sense of security and independence. Hon. Gentlemen opposite hold that opinion in obedience to what I may describe, in no carping spirit, as the traditional instinct of their party. We, on this side, have been taught by experience that in military organization efficiency is only another name for the truest economy.

Now, Sir, in our defensive arrangements, the main point is the efficiency of our regular army. Whatever our reserves may be, the regular army must be, in technical parlance, our first line of battle. On whatever plan our army of reserve may be constituted, its training school and source of supply, both for officers and men, must be the standing army. But that army is constituted on a principle upon which no army was ever before constituted. The primary and indispensable qualification is not professional knowledge, or long and good service, or superior ability, but money. This principle is admitted, even by the warmest advocates of the present system, to be indefensible in theory. They all agree that if the army had to be constituted for the first time, they should not think of resting it upon such a foundation. My object will be to show that the system is also indefensible in practice—so indefensible as to make it essential to our safety that the army should now be reconstituted on a different principle.

For, in the first place, Sir, the army cannot be in any real sense of the word a profession while the purchase system exists. The meaning of a profession is that a man should be able to live by the occupation which he professes; and should look forward to prosper by devoting his best exertions to it. But officers have to pay for the privilege of belonging to the army; and, except under very extraordinary circumstances, they can hope for promotion only by making further payments. As a rule, the interest and life insurance on the sums invested equals, and sometimes greatly exceeds, the officers' pay. As a necessary consequence, the class of young men who depend for success upon their education and exertions, and who are the life and soul of every other profession, are to a great degree excluded from the army. Without a large supply of such men it is idle to talk of army reform. If, on the other hand, we succeeded in obtaining them in sufficient quantity, the army would very soon reform itself.

Again, Sir, if we look to the young men whom we get, we shall find that the most is not made of them under the present system. Parents cannot be expected both to give their sons an expensive education and at the same time to pay large sums of money for their commissions. The purchase system ought to have been abolished at the period when officers were required to pass professional examinations. As it is, the professional principle carries on an unequal and discouraging struggle against the money principle. Young men are taken from school before they have half finished their education, and are placed under a crammer to enable them to pass the superficial examination which precedes the first commission. How unfit and uninstructed they are, and how necessary it is for the public interests that a portion of the sums paid for commissions should be expended in completing the general and professional education of the young men intended for the army may be seen from the evidence of the distinguished officers examined before the Purchase Commission of 1857. I should beg to refer the House especially to the evidence of Major-General Lord West and Major-General Sir Thomas Franks. Lord West says—

> "When I was commanding a regiment before Sebastopol, from sickness and casualties, the number of duty officers became very small, and I then urgently requested that some young officers who were kicking their heels at the depôt might be sent out to head quarters forthwith. I received ten of these young officers in a batch, who did not know their right hand from their left, and had never been drilled. I was obliged to send them to the trenches in command of parties of thirty or forty men, much as I objected to have such parties under the command of such very young subalterns. All that I could do with those officers was this: I sent the adjutant on parade, and told him to show them how to march their men off the ground. All that I could say to them was, 'If the enemy comes on, hold your ground, and drive them back if you can?' In such case much was left to the steadiness of the non-commissioned officers and old soldiers."

Lord West was asked—

> "In point of fact, those young officers had no more knowledge of professional duties than if they had been so many civilians?"

And he answered, "Not a bit more."

But, Sir, if young officers enter the army raw and untrained, when they are there the purchase system does not provide them with a sufficient inducement to study their profession. For, in the first place, it is not in human nature that men who have bought appointments should be, as a class, equally zealous public servants with men who have received those appointments upon grounds of merit, or even private interest. The chances are that a young clergyman whose father has purchased him the reversion of a living is not so earnest and industrious as one whom his Bishop has noticed and promoted. And to take an instance nearer home, I am told that before the Reform Bill of 1832 there existed a custom of buying a seat in Parliament;

and that a Member who had paid for his borough at the rate of £1,000 a year, or £4,000 between two dissolutions, was not so regular an attendant at the House as one who was the chosen servant of a large popular constituency. In the same way a young officer cannot but feel that when he has paid to some quarter or another, it matters little what, a sum for which his pay, after stoppages have been deducted, is barely the legitimate interest, he has not so much obtained a situation as made an investment, and in many cases an uncommonly bad one. He has bought his commission. It is his. May he not do what he likes with his own? This idea is so deeply rooted in the army that I have actually heard ensigns defend the system on the ground that the pay was good interest for their capital. It never seemed to have crossed their minds that their services deserved any remuneration.

I appeal, Sir, to the personal experience of hon. Members. What are the objects to which the attention of young officers is chiefly directed after they have obtained their first commissions? Is it, as in other professions, to qualify themselves for early promotion by study, and careful attention to their duties? When they talk of promotion, has it the slightest reference to such old-fashioned conditions as these? Does not their conversation rather turn upon the opportunities for purchase which their own and other regiments afford; upon exchange; upon giving or receiving the difference between full and half-pay; upon the objectionable qualities of the officer who stops promotion by refusing to give more than the regulation price, and upon the amount which the officer who is ready to retire would be willing to take? All this haggling and huxtering, though dignified by the name of treaties and negotiations, is perfectly scandalous when the article chaffered for is the command of men with all the power for good or evil which military rule confers. Demoralizing in its very nature, this system of barter is doubly demoralizing when we reflect that it is illicit and clandestine. "We have it," says Sir De Lacy Evans,

> "On the candid and honourable evidence of one of the partners of a most eminent army agency firm that, in several corps, but especially in the cavalry, double the legal prices, and often more than double, were usually given; and it appeared in the evidence of the Commander-in-Chief that officers who asked permission to make those purchases invariably concealed from the authorities their intention of violating the law."

Now, Sir, on this point the evidence of the Commander-in-Chief is frank enough. He says—

> "We never know anything about the excess on the regulation price. It is done unknown to us. I am afraid it is done. I admit that I have reason to know that it is done; but quite unofficially. I positively know nothing about it; but, of course, I have been long enough in the service to know that such things are done, and I am sorry that they are done."

Now, Sir, what a school is this in which our young men are to learn the high notions of honour which become an English officer and gentleman. In this respect, if in no other, our military education seems to be founded on the Spartan model; and our youth are to be, in accordance with the laws of Lycurgus, permitted to carry on a questionable traffic if only they can contrive to escape detection. If the purchase system is not to be abolished, at any rate, in the interests of public morality, it is high time that it should be legalized.

Sir, it will hardly be denied that the first condition of professional efficiency is adequate professional remuneration. Now the professional remuneration of an ensign is nominally *5s. 3d.* a day; and out of this he is liable to an annual charge of twelve days' pay for band subscription, besides a contribution of twenty days' pay on first appointment, and twenty days' difference of pay on each promotion. What remains of his pittance barely suffices for his mess expenses even in the most moderate regiments. Now, the rate of pay ought to be such as to enable a young man from his very first entrance into our army to live frugally according to the habits of the day. Any rate short of this forms an almost insuperable bar to the best class of candidates. But when the well-wishers of the English officer propose to augment his miserably insufficient stipend, they are met by the Treasury with the answer that such augmentation would only increase the price of commissions, and would therefore fail to improve the condition of men whose pecuniary embarrassment results from the fact that they have already sunk in their commissions large sums, the interest on which is a heavy burden on their slender purses. These facts tell in the infantry; but they tell with double force in the cavalry. In the year 1859 the competition of rich men had run up the price of commissions in that branch of the service to such an extravagant height, and the luxurious habits imported by these men had so increased the expenses of living, that the system broke down of a sudden. There was a financial crash in the English army. Incredible as it may appear, our officers had over-speculated and over-traded in commissions to such an extent that a panic took place, and no one could be found to buy. Sixty-five cornetcies were going a begging for purchasers. To quote the words of Lord Herbert "the vacancies equalled in number the cornetcies of eight regiments." It is to be hoped for the national credit that we contrived to conceal from the military men of foreign nations the fact that we could not get enough millionaries to officer our cavalry. So that we found ourselves in this absurd position: that, on the one hand, we could not get together enough poor men to recruit the ranks of our soldiers, and, on the other, we could not get enough rich men to recruit the ranks of our officers. The system broke down at both ends. In order to correct this evil the Commander-in-Chief proposed to reduce the stoppage for forage. This did not appear, in the eyes of Lord Herbert, fully to meet the difficulty. I quote his words once more—

> "No man would consider that the reduction of 1*s.* 5*d.* per day would bring within his reach a mode of life which requires an outlay in hard money of sums rising from £840 to £7,000 or £10,000 (sometimes even more), with horses, uniform and accoutrements of an expensive character; and, above all, a style of living requiring a high allowance from his family, with the prospect of a good deal of debt at the end of it."

The difficulty was met in a much more effectual manner, a manner which in itself is a sufficient condemnation of the purchase system. Sir, the Secretary of State himself entered the commission market, and undertook a system of brokerage on a grand scale through the medium of the army reserve fund, which was justly described by Sir De Lacy Evans as a fund for the extension of the purchase system. Owing to the large number of commissions given and promotions made without purchase during the Crimean War, an unusually large proportion of commissions were held by officers who had not purchased them. When any of these officers wished to retire the Secretary of State authorized him to sell, and to receive out of the amount realized at the rate of £100 for every year's service, the remainder being paid to the reserve fund. The officers who purchased these commissions were of course at liberty to sell them in the usual way, and therefore every one of these commissions was subtracted from the rewards of long and good service, and added to the already too large domain of the purchase system. The sums obtained from the Infantry officers by this machinery were expended in extinguishing purchase in the yeomanry of the guard, in assisting the promotion of cavalry officers, and in other laudable objects. But laudable though those objects were, they ought not to have been promoted at the cost of the hardest worked and most under-paid portion of the army. These strange practices excited the honest indignation of the right hon. and gallant Member for Huntingdon (General Peel), who entered an able protest against them in the form of a Question. Sir, I appeal to that right hon. and gallant Member, and I hope he will not consider that appeal impertinent, to show why these practices which he so justly disapproves are not the certain and inevitable result of the purchase system; a system which is fast eating away all the prizes which remain to excite the honourable ambition and emulation of our military men.

Sir, it is worthy of being remarked that the system of buying and selling appointments has not always been confined to the army. In almost every other department of the public service that system has been tried and found wanting. It still exists to a certain extent in the Church; which in this respect appears anxious, by a sinister similarity to the army, to keep up its character as Church militant. In old days there was always a bargain between the incoming and outgoing tenant of a public situation. In 1660 Samuel Pepys obtained the appointment of Clerk of the Acts, and immediately received for the office a bid of £500. So legitimate did this transaction appear to him that he, with his customary piety, "prayed to God to direct me in what I do herein." Presently a former holder of the office turns up in the person of Mr. Barlow—

> "An old consumptive man, and fair conditioned. After much talk I did grant him what he asked—namely, £50 per annum if my salary be not increased; and £100 per annum in case it be £350."

A fortnight after he gets an offer of £1,000, "which made my mouth water." This practice prevailed in all the Departments of State throughout the bad times of the Restoration. With the Revolution a healthier state of public morality began to prevail. But this deleterious system, banished from the Admiralty, the Law Courts, and the great Civil Departments of the State, found a home and a stronghold in the army. And now, Sir, I ask—Why is this so?

We are told—and here I come to one of the favourite arguments adduced by the advocates of purchase—that it is necessary that the army should be officered by English gentlemen, and that the best test of the qualities of a gentleman is the possession of wealth. Sir, why should not the army under any circumstances get its full share of English gentlemen? The navy does not complain that it cannot attract gentlemen in sufficient numbers; nor the Church; nor India; nor the permanent Civil Service. In what is the army inferior to any of these. Is it a discreditable profession? It is of all professions the most honourable. Is it an unpopular profession? So far from that, military distinction is the surest title to the love and admiration of the English people. We must not imagine that if purchase were abolished it would be difficult to induce high-spirited young Englishmen to wear a red coat. I do not think so meanly of my own friends and contemporaries as to believe that they are tempted to enter the army by the privilege of living with rich men and buying their steps. These are not the charms of a military career. The attractions which bring the youth of our upper classes into the army is the cheerful, out-of-door, adventurous life; the pleasant brotherhood of the mess; the hope of early fame; the desire to serve their country in a strait. Sir, there are plenty of these men within our own walls. One county alone has the honour of sending hither two "V.C.'s." I make bold to say that, even if there had not been commissions to be bought or sold, those honourable Members would have been bound wherever "V.C.'s" were to be earned.

And it is worth the while of those who hold it to be of importance that men of substance should form the bulk of our officers, to turn to the evidence which Lord Clyde gave before the Purchase Commission of 1857. That distinguished officer was of opinion that the best and least invidious test of sufficiency of wealth was a high standard of education. He says—

> "I presume that the parents and relatives, who would take care to fit a youth to pass the standard which I conceive would be necessary, would have imposed on them the necessity of keeping him at school at least till the age of seventeen or eighteen. But that implies, in my idea, the possession of property. The very fact of the relations of a boy being able to maintain him at college till eighteen would ally him with property; and I think if you established a high standard of examination you would then improve the officers of the army."

And these are not the remarks of a bookworm, or of a doctrinaire, one of that class of men of whom we used to be so much afraid during the cattle plague debates, and whom it was then the custom to stigmatise by the name of "philosopher." These are the sentiments of a General whose capacity for the management of an army in the field was often tried, and never found wanting.

Sir, there may be some hon. Members present to whom this question is not familiar, and who, knowing that a Commission has sat upon the purchase system, may be inclined to take their opinion from the Report of that Commission. Now, Sir, the recommendation of that Commission, and the fate which that recommendation met with, form an instructive chapter in our history of military administration. For the Commission found that the post of lieutenant-colonel is of the greatest importance for the efficiency of the regiment, and is attainable by purchase. And they recommended that—

> "The Lieutenant Colonelcy should no longer be purchasable, but should be an appointment made by the selection of the Commander-in-Chief from all the Majors in that branch of the service."

It is hard to find a reason for dissenting from this recommendation. All who know the British army, Sir, could probably mention, even within the narrow circle of their own experience, officers who have purchased this great charge who never could have attained to it under any system of promotion into which the principle of selection entered even to the most modified extent. It has happened before now that the existence of a regiment or the prestige of the nation has been in the hands of men whom none of their acquaintance would trust with the arrangements of a picnic or shooting party. Within the last six months, especially, the instance has occurred of a man who was admitted by all who knew him to be well meaning, and even to have been actively benevolent in the private sphere which alone was suited to him. His ill luck brought him to the front at a great crisis. His head was turned, and he performed actions, wrote despatches so foolish and ill-judged, that his brother officers hastened to clear the credit of the service by assuring their friends that the writer was known throughout the army to be a man of weak and inferior ability; and yet this fact, though long notorious, had not prevented him from being promoted to the command of his battalion. Now, Sir, as there was great delay in giving effect to the recommendations of the Commission, Sir De Lacy Evans moved in March, 1860, a Resolution in this House to the effect—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to order the gradual abolition, as soon as practicable, of the Sale and Purchase of Commissions in the Army (having due regard to existing rights)—with the view of substituting for the Purchase System, promotion, partly by seniority and partly by selection, grounded on War services of merit, length of Colonial and Home services, and attested professional fitness—under such regulations as Her Majesty shall be pleased to direct."—[3 *Hansard*, clvii. 20.]

A warm debate ensued, in the course of which Lord Herbert, then Secretary of State for War, stated that he was prepared to carry out the recommendation of the Commission. To quote his precise words—

> "For my own part, I think that purchase ought to be limited to the ranks of the service below that of a lieutenant-colonel, in which position I think that due care ought to be taken that an incompetent man, to whose charge the lives of 1,000 men are to be committed, should not be placed. Without pledging myself to details, because many points will require very careful consideration, I may state that the principle laid down by the Commission is the principle the Government acknowledges in dealing with this question. It will be my duty to prepare a scheme, founded on that principle, with the greatest care, thought, and caution, and lay it before the military authorities for consideration."

Still there seemed to be difficulties in giving effect to this promise, though in the following year the noble Lord the Member for King's Lynn (Lord Stanley) stirred up the Government by asking a question which was answered by the present Lord Northbrook, then Under Secretary for War, and on the 30th of May, 1862, Sir De Lacy Evans appears to have been unable to contain his impatience and moved—

> "That, in the opinion of this House, no further postponement ought to take place in giving effect to the promises of Government, that the Command of Regiments should no longer be purchasable, and that the promotions to that rank should henceforth be regulated by selection upon the responsibility of the Commander-in-Chief."—[3 *Hansard*, clxvii. 199.]

But, Sir, by this time the great statesman who had made those promises had gone to his rest, and the country had suffered an irreparable loss. The matter was in other hands. Sir George Lewis and Lord Palmerston replied by making a general defence of army purchase, and announcing that instead of performing the promise which had been made by Lord Palmerston's own Government, the consideration of the question would be postponed to some indefinite period, when the experiment of the absence of purchase might be considered to have been fully tried in the nine regiments which had been transferred to the Crown from the East India Company. It was on this occasion that the noble Lord made his prophecy about the twenty-five years. I must remind the noble Lord that his prediction has only twenty years still to run.

Perhaps, Sir, some light may be thrown upon the secret and effectual cause of the neglect with which the recommendation of the Commission was treated, if we examine the evidence of His Royal Highness the Commander-in-Chief. He is asked—

> "Do you think that the principle of selection which is applicable to colonels of regiments is applicable also to lieutenant-colonels?—I think not; but it is perfectly applicable to colonels."
>
> "Will you explain to the Commission why that which is applicable to colonels could not be observed with regard to lieutenant-colonels?—Because the colonel does not command the regiment. He his merely the nominal head, and he is selected for services performed in former days, and it is a reward for services, therefore that is a much easier thing than selecting a man to be actively employed at the head of a regiment."

That is to say that in the case of the colonelcy, which is a sinecure, a place of prestige and emolument, it is proper to apply the principle of selection; but in the case of the lieutenant-colonelcy, which is only a place of responsibility, only a case in which the welfare and the lives of 800 or 1,000 men are at stake, it is impossible to undertake the burden of selecting a man who is fitted for the post. The office which is honorary is to go by merit; the office which demands high intellectual and moral qualities is to go by a complicated system of chance. Sir, the Admiralty are not unwilling to assume the responsibility of providing commanders for twice as many vessels as there are regiments, of which the Horse Guards cannot assume the responsibility of nominating the colonels. Sir, the right hon. Member for Droitwich (Sir John Pakington) taught us that the decrees of the Horse Guards are not to be questioned in this House, and we have learned our lesson. But if the right hon. Baronet will allow me, I will bring forward the opinion of another Royal personage, who was likewise a famous soldier. When King William came to England with a military experience matured by many years of Continental warfare, he applied his earliest period of leisure to the task of putting down purchase among his new subjects. I think that very practical monarch must have stared the first time his Adjutant General told him that there were not enough rich men in the country to officer his cavalry. There may be danger lest people inclined to cavil should make the remark that the Admiralty dare not allow incompetent men to have charge of vessels, because vessels are made of wood and iron, which are tangible materials of very serious cost; and that if a vessel is wrecked by the fault of the commander, the public at once appreciates the pecuniary loss which it has suffered. But a regiment is made of flesh and blood, and may be rendered inefficient by disease, and only those who are conversant with sanitary statistics can assert that such a misfortune was owing to human folly and not to a dispensation of Providence.

Sir, we have often been told in the course of the last year that the cause of the supreme excellence of English administration is that our reforms are never radical reforms; that we never take a stride in the path of progress, but go forward foot by foot; above all, that we never change our old garments for new, but that we patch them up wherever we find a hole. And therefore we are told our institutions are stable; and the most stable of all our institutions is the army. Now, Sir, I do not deny that our military system, under favourable circumstances, has plenty of stability; that is a quality in time of peace, to which you may always attain by simply leaving things alone; but we are told likewise that, anomalous and antiquated as it may be, it works well. Sir, that is precisely what all the soldiers of the old school throughout Europe said of the Prussian military system in the year 1806. The French, with their new-fangled tactics and their mushroom generals, might beat Austrians and Sardinians, but they would never stand against battalion's disciplined and manœuvred after the instructions of the great Frederick. But the battles of Jena and Auerstadt opened the eyes of the soldiers of the old school. A single fortnight placed Prussia at the feet of Napoleon. Then the Prussians took counsel of necessity. They left the old groove. They re-modelled their army from the crown to the foot, and the results were the campaigns of 1813-14-15. And so it is with us. We may talk as much as we like about being a practical people; but how will it all end. Prussia never scruples to alter her organization on a year's notice, and yet nobody denies that their organization works well. Does the Prussian army show in the field any signs of being led by unpractical doctrinaires? We boast of possessing an organization founded on experience and not on theory. Everybody knows that our soldiers are brave, and well drilled; everybody knows that our officers are loyal and courageous; but does anybody believe that in the hour of stress and peril that organization would bear the strain? Not once during the last few weeks, but over and over again, men who have deeply studied the question have said to me, we shall never get rid of purchase till we have a war and a breakdown. If this is the impression among those who are best informed, it is idle to talk of the expense of abolishing purchase. A breakdown would cost us in a fortnight a sum which would buy up all the commissions in the army. The right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) could tell us how much the breakdown in the Crimea stood the nation in cash; and we can all of us tell what it cost us in reputation.

I will not now enter into a computation of the expense of abolishing purchase, but there are two or three items of saving which I recommend to the attention of the economists in the House. We shall be able largely to diminish that inflated and gigantic non-effective system, which has been raised to its present dimensions in order to compensate officers who have suffered from the effects of the purchase system. On this point I quote the highest authority. In a memorandum laid by the Duke of Wellington before the Select Committee on Army Appointments in 1833, his Grace, speaking of 120 general officers, receiving £456 5*s*. a year, says—

> "They receive from the public an annuity, for which they have sacrificed a capital larger than any that could be required from them, either by the public or any annuity office for the same annuity."

And of 138 general officers who are titular regimental colonels, he says—

> "Being colonels of regiments they cannot be

allowed to sell out. Their money is sunk in the service, and is lost to them and their families for ever."

In consequence of these representations the Committee recommended a large increase of the non-effective expenditure, which was eventually carried into effect. Secondly, we must remember that officers should only be indemnified for any loss they may suffer in consequence of the abolition of purchase. In other words, they should receive back from the Government the full current value of their commissions only to the extent to which they would have recovered it if purchase had not been abolished. Everything beyond this would be a gratuitous boon.

Sir, it will doubtless be objected during the debate that the present system provides more rapid promotion for non-purchasing officers than would be afforded by a system of selection based upon seniority. The House is far too indulgent for me to trespass on their time. But if I did I could show that promotion might be greatly quickened by a judicious scheme of retirement. Besides, whatever form the army of reserve and militia may take they must be officered to a great extent from the line, which will provide a large amount of employment of a kind particularly suited to married officers and officers whose health is not equal to foreign service. Sir, in the debate of 1860 a great deal was said about the miserable fate of the French officer. You were told how all who had been abroad must have seen lounging about *estaminets* men whose upright carriage, close-cropped grizzled hair, and heavy moustaches showed what they had been, and whose haggard faces and threadbare clothes showed painfully what they were, and you were asked whether to that condition you would reduce English officers. Sir, I had lately in my hand a letter from a distinguished officer written from Paris, who said he saw all around him, his juniors taking rank as generals, while he was only a colonel, and could not hope to be promoted for several years. We must never forget that the military Members of your own House, though unselfish enough to be by no means unanimous in support of purchase, all belong to the class which most profits by the present system. There must be a great many Reform Bills before poor officers will sit on these Benches. But since my Motion has been on the Notice Paper, I have received letters which amply show that in many a country village and third-rate watering-place there are poor broken-down men of worth and tried valour who have no unbounded admiration of the purchase system. They do not recognise the hackneyed Horse Guard's dictum that the British service is an advantage to the men who cannot pay as well as to the wealthy man. What is all this talk about men with grizzled hair, hanging about *cafés*, compared with the fact that no officer, or next to none, unable to purchase, rises to the command of a regiment in time of peace? That in time of war he does so rise, because in time of war this boasted purchase system breaks to pieces in the face of stern facts. Sir, in whatever direction military reformers turn their eyes, whatever work of public utility they endeavour to promote, their efforts are always defeated by the existence of this vast anomaly. In our laudable desire to strengthen and elevate our national army we may pour millions after millions through the hands of the War Secretary; but till purchase is abolished we shall get little or nothing for our money. England has a small army, but she has mighty interests at stake. In that small force every officer should be zealous, intelligent, and skilful in his profession; and this result will never be produced until our officers owe their promotion, not to pounds, shillings, and pence, but to zeal and intelligence, and professional experience and skill. The hon. Member concluded by moving his Resolution.

Colonel SYKES, in seconding the Motion, said, his hon. Friend (Mr. Trevelyan) in bringing forward the subject had apologized for so doing on the score of youth; but the manner which he had acquitted himself certainly showed any such apology to be unnecessary. As one having the experience of half a century, it might be well that he should corroborate the views of his youthful Friend, and thus furnish a fresh proof that extremes meet. He had always looked upon it as one of the most disastrous results of the system of purchase, that when a man had been eighteen or twenty years in the army, had acquired the experience fitting him to command a regiment, he was forced out of the service by the consideration that if he died the money which he had invested in the previous steps would be lost for ever to his family. So that under the present system the country lost the service of officers at the moment when it was most important that they should be retained. An important question in the constitution of the army was involved in the Motion now before the House. The system of purchase had the effect of excluding from the army some most valuable elements. At present they could not obtain a supply of recruits from the lower middle class of life. There was nothing to induce—on the contrary, there was everything to deter—the sons of tradesmen from entering the army, because they had not the means to purchase and there was no adequate prospect before them. The army of the East Indian Company, on the contrary, was recruited without the slightest difficulty, and from a different class of persons to those who entered the Royal army. In the Indian service there was always something for the young adventurer to look forward to. There were a multitude of appointments—artillery and commissariat conductorships, clerks of works, clerkships in the military departments, &c.—open to men of some little education and station; and many men were induced to go to India upon the chances of success thus held out to them, who could never entertain any hope of advancement in the Royal army. His own personal experience furnished him with many instances in which poor young men of education and accomplishments had entered the Indian army as privates. In a native regiment which he commanded in India his serjeant-major was the son of a Scotch clergyman. That gentleman—Mr. M'Leod —had received a good education under the admirable system of parochial instruction in Scotland. When he (Colonel Sykes) came home in 1820 he recommended him for an appointment to a department where his talents and education would be appreciated. The result was that Mr. M'Leod progressed and became a deputy collector of Scinde, with a salary of £1,200 a year. This was but one example of numerous instances of promotion of a similar character. When he organized the statistical reporter's office for the Bombay Government in 1824, he needed an artist who drew tolerably well and an expert in figures, and he readily found both in the detachment of European artillery at Poona; the artist having been a landscape painter in England and the expert in figures had been educated at the Polytechnic in Paris, and both of them behaved themselves well. The consequence was that the Company's service was generally filled with persons of a higher station than those who entered the ranks of the Royal army. The officers of the English army were, as a body, the first gentlemen in Europe—there was no doubt about that — but he considered it mischievous, imprudent, and impolitic that such a definite line should be drawn between the officers and the men they commanded in the British army. With regard to purchase, it was said that a man was always sure of getting his money back again. He (Colonel Sykes) was not so sure about that. He knew a case that was at present before the War Office. It was that of a captain whose commission was worth £1,800. Having been put a few years ago on half-pay he applied to the late Sir George Lewis, when he was War Minister, to be allowed to sell his commission. Sir George remarked to him that he was getting on in life, and asked whether he would take £1,500 for his commission? The poor man said that the money would be acceptable, and consented to take it; but up to the present moment he had not received a farthing of this £1,500. He (Colonel Sykes) looked for better things from the present head of the War Office. The question was how this evil of purchase was to be remedied. There were £7,000,000 invested in the purchase of commissions, and that, no doubt, made it a serious matter to grapple with the subject. But why not make a beginning? As officers wanted to sell commissions, let a certain number be bought annually by the Government, and in process of time the present evil would be extinguished. They could then give these commissions to persons to be promoted by seniority or for merit. In that way the expenditure which the State would have to incur in doing away with the purchase system might be spread over twenty or thirty years.

Motion made, and Question proposed,

"That, in the opinion of this House, the system of purchasing Commissions in the Army tends greatly to diminish the efficiency of our Military Force."—(*Mr. Trevelyan.*)

Captain STANLEY said, that having been several years in the army, and feeling a very deep interest in the welfare of the service, he trusted he should be pardoned if he ventured to trespass upon the attention of the House by offering a few observations on the Motion of his hon. Friend. It seemed to him that the question before them was of a twofold character. They had to look, on the one hand, to the objections attributed to the present system of promotion, and upon the other to the ad.

vantages which might be reasonably expected to arise from a change. It was not his intention that evening to go over the ground traversed by his hon. Friend who made the Motion; but there were one or two points upon which it was well to have a fuller discussion than they had as yet received. One of the principal objections which he thought must suggest itself to the present system was that from the very first moment of entering the service an officer was assuming the gravest responsibility that could be thrown upon any man. He said it without fear of contradiction that a young officer entering the service, and fearing the responsibility of having so many human lives placed under his charge, without being required to qualify himself properly for the discharge of the duties he was about to undertake, found himself placed in a most difficult and unenviable position. The point, however, to which he particularly wished to address himself was that of the advantages which he trusted would ensue from a change of system—which, whilst doing away with purchase, would enable the authorities to promote a larger number of men from the ranks than was at present done. It had been said that if they were to raise a certain proportion of officers from the ranks they would inevitably effect a great change in the army, and run the risk of lowering that high standard of gentlemanlike feeling which it was universally admitted the British army possessed above the armies of all other nations. But in dealing with a question like this, he submitted that we should look beyond the immediate effects. We should consider whether, by holding out the hopes of a better career, we should not induce a better class of men to enter the ranks of the service. At present a young man might enter the army with the best intentions and a determination to work hard and to learn his work; but he would soon discover that the life of a soldier was composed of a multitude of small details. Now, it was precisely the knowledge or ignorance of those details on the part of the officer which constituted the difference between the comfort or discomfort of the men placed under him. It was, of course, a considerable disadvantage to the service that officers should enter it without having obtained any knowledge of the duties which they would be called upon to fulfil on their first entrance into the army. He thought if the present system were so far changed as to allow of a greater number of promotions from the ranks we should then have at once a large number of officers who would be fully conversant with the wants and habits of the men under them, and who would be able in many cases to decide upon matters which might be brought before them as regards the comfort of the men with far greater precision and confidence than officers who, however apt and able they might be, had never become practically acquainted with the duties of those below them in station. It was true that under the present system when an officer passed from one rank to another he had to undergo a sort of examination; but this was very different from the examination which would be instituted if the proposed change were to be carried out. The object of the present examination was merely to ascertain whether an officer was positively too ignorant to be promoted to a higher grade. The object was, not to select a good officer, but to keep back a man who was totally unfit, and the subsequent advancement of an officer was in no way dependent upon that examination. One who passed it in an inferior manner stood exactly the same chance of being promoted as one who had passed it well; and, of course, such an examination offered no inducement to officers to exert themselves in the intermediate ranks of their profession. He contended that if a certain number of officers were introduced from the ranks of the army, and were placed for each subsequent grade of promotion in competition with other officers in the service — whether they had entered from a Military College or from elsewhere—the result would be that a higher standard of military knowledge would be, as it were, forced into the profession. The question of officers being selected for command had been so fully discussed in that House that it was unnecessary for him to enter into the subject; but he might, perhaps, venture to add his firm opinion that not only should officers intended for the rank of actual commanders of battalions be taken by selection from the army, but that their subordinate officers, such as majors of regiments, who, in the absence of their superior officers, were likely to be called upon at any moment to take the command, should also be selected on account of their military acquirements. To make his meaning on the subject of examinations more clear he might state that in his opinion they should be confined to military matters, for he could not conceive that, as regarded the regimental work of the army, it was necessary that the officers should be highly qualified in scientific acquirements. Indeed, the probability was that if an officer devoted himself very much to scientific pursuits he would be wasting time which might otherwise be devoted to subjects more practically useful. If the system of promotion by purchase were abolished and a system of promotion partly by seniority and partly by selection substituted for it, he could not understand how the staff appointments could be taken from the army in the same way as at present. By separating the staff of the army from the regimental commissions a great injustice would be prevented, which might otherwise occur from following out strictly the plan of seniority. If the plan of seniority were strictly carried out, and the staff of the army were chosen as at present, it would be perfectly possible for an officer to obtain his promotion, to leave his regiment, and become an entire stranger to his men, and then to rejoin his regiment in time to gain his next step. Such a state of things was obviously most undesirable. Feelings of apprehension had been entertained, even by officers well acquainted with the army, that the present standard of honour and gentlemanly feeling in the service might in some degree be lowered by promoting men from the ranks. Now he (Mr. Stanley) confessed he was one of those who did not entertain that apprehension, for it must be remembered that, as a rule, the men who rose and who had taken the trouble to qualify themselves to rise from the ranks, must be men with a certain amount of application and energy, and there could be no doubt that when placed in the society of their brother officers they would endeavour to conform, as far as possible, to the manners of those among whom they found themselves. If, however, he was to look exclusively to social position he admitted that that must to a certain extent be altered; but the army ought not be regarded as a mere social gathering. He was not aware whether his hon. Friend the Member for Tynemouth (Mr. Trevelyan) intended to press his Motion to a division; but he trusted that the right hon. Gentleman the Secretary of State, even if he were not prepared at once to accede to the Motion, would be induced to take the subject at no very distant day into his serious consideration. He could not impress too deeply upon the House the feeling which he entertained that this great change could best be carried out at a time when the matter could be carefully considered, and not when we were embarrassed in the midst of a war by the break down of the present system. While he hoped that the system of purchase would be abolished, and that a larger number of officers would be promoted from the ranks, he admitted that we ought not to look for a supply of officers from that source alone. Although there might be some difficulty in carrying out the idea, he still maintained that all officers should be made acquainted with the duties they would be afterwards called upon to discharge. In this respect an excellent example was set by the Austrian army, for all officers on joining it were attached to regiments as cadets, associating with the officers, but learning practically and thoroughly the duties of those whom they were afterwards called on to command. He thought it must be very disadvantageous to draw so broad a line of distinction between the two classes of the army as was done at present, and he concurred with the hon. and gallant Member for Aberdeen (Colonel Sykes) that it discouraged many young men from entering the army who would otherwise willingly serve in the ranks for a certain number of years if there was a prospect of their eventually obtaining a commission. In conclusion, he admitted that there were great difficulties in the way of carrying out this great change; but he could not but express a hope that before long the existing system would be abolished, and that the army would cease to be the only service in which responsible positions could be purchased for a sum of money.

COLONEL NORTH said, he could not understand how such a system as that proposed by the hon. Gentleman could be carried out; but there might be no great difficulty in carrying out the system if the country was only prepared with the £ *s. d.* During the Peninsula War volunteers were attached to regiments, but when the peace was concluded they did not know what to do with them, and the system was discontinued. He was not at all surprised at the Motion made by the hon. Member for Tynemouth (Mr. Trevelyan), who, in addressing his constituents, had said that in the English army power was gained by purchase and maintained by the lash. The hon. Member might, however, have done English officers the justice to say that, however they obtained the power, they wielded it with justice, kindness, and consideration. As to the army being held together by the lash, he left the House to judge how far the statement was justified by a Return showing that, on an average of ten years, in an army of over 200,000 men, scattered in all part of the world, the number of men flogged was only 2 and a fraction per 1,000. When this question was discussed in 1856, it was brought forward by General Sir De Lacy Evans, who could not personally complain that merit was not rewarded, for on the 12th of January, 1815, he found himself a captain in His Majesty's service, and on the 18th of June following he was a lieutenant-colonel. No one could find fault with that, for every advance was gained by gallantry in the field. He had seen service in India and in the Peninsula War, and he did not bring the matter forward because he had any grievance. The Motion was seconded by the present Earl de Grey, than whom no one had the interest of the army more at heart. Earl de Grey — then Lord Goderich—proposed that one-third of the vacancies in the army should be filled up by merit, and two-thirds by seniority; and Mr. Ellice thought that there was a necessity for inquiry, if only to satisfy the demands of public opinion. The recommendation of the Commission of 1854, of which he was a member, that in the non-purchase corps, the Royal Artillery, and the Royal Engineers, Her Majesty should more frequently exercise her prerogative and take officers out of the regular rotation of promotion and promote them to higher ranks on account of merit, encountered great opposition from the corps, and even a modified recommendation was met by a protest. They declared they would infinitely prefer the introduction of purchase into their corps. As to the heartburnings that were alleged to be caused by officers being passed over under the purchase system, were not the same heartburnings as likely or more likely to occur under the system of promotion by selection? There were now three modes of promotion—purchase, seniority, and selection. Staff appointments were filled up by selection, and could not be purchased. No complaints were made against the regimental system to which purchase is confined; but during the Crimean War it was said that the staff officers were not up to the work. If that were so, it was not the fault of the officers but that of the country. No opportunities were given by collecting bodies of troops to instruct staff officers; and if the country was so penurious as not to afford officers proper opportunities of learning their duties, let the country bear the blame of their inefficiency. If the purchase system were abolished, the expenditure of some £8,000,000 would be necessary, besides an enormous increase annually in the full-pay and half-pay retirement; and he did not believe that any Minister would be likely to propose such an outlay. The hon. Gentleman had stated that he had received a large number of letters from officers complaining of the present system; no doubt they came from officers who had recently been passed over. But, on the other hand, it must not be supposed that all officers were averse to the present system, for many had said to him, "Whatever you do, vote for the continuance of the purchase system in the interests of the poor man." If his hon. Friend divided the House on this Question, he should certainly oppose him.

Mr. A. W. F. GREVILLE-NUGENT said, there was a point that had been altogether lost sight of during this discussion—the question of the sufficiency of pay to our officers; and the House would have to consider before they sanctioned any change in the present system—whether an officer promoted from the ranks would be able to live on the present rate of pay. As to promotion from the ranks, soldiers had a greater respect for officers who were of a superior class than for those who were promoted from among themselves, and they gave a more willing obedience to them than they did to those who had been their comrades. It had been urged as a reason in favour of promotion from the ranks that the men had more energy than their officers; but he defied any one to point out an instance where the duties could have been better performed by men from the ranks than they had been under the purchase system. If the present officers could not discharge their duties efficiently he was certain the men could not. The proposed change, if adopted, would change the whole tone of the army. By the new system, they would have in the same regiment men of a different class to their officers, about whom very little would be known; whereas, by the present system, more or less was known of the status of every officer who joined a regiment; and in most cases they were the sons of men who had served their country in the field. To promote men from the plough or from a village draper's shop, because he happened to be rather smaarter than his comrades, and because he could read and write pretty well, would destroy, as he had said, the whole tone of a regiment. In the artillery, where there was no purchase, promotion was very slow, because an officer had no object in leaving the corps, not being able to better himself; but in the army vacancies were frequently arising, because men could sell out and obtain their money. Our army had ever been well led, and he doubted if they would improve it by the adoption of promotion by the abandonment of the purchase system. These constant discussions about the army, such as the everlasting question of flogging in the army, and promotion without purchase, had the effect of putting things into the men's heads that would never else have got there, and probably made them discontented.

Sir HARRY VERNEY said, it was absolutely necessary for the safety of the country that our military service should be in the most perfect order; for our riches offered the greatest temptation to plunder in the case of war. The British army must necessarily be a small one; and it ought therefore to be organized and administered as efficiently as possible. But he feared that it could not compare with foreign armies in respect of organization and preparedness for war; and that upon any sudden emergency it would be found in a state of unpreparedness which might prove most dangerous. Now, this ought not to be. We had brave men for soldiers—there was no country in the world in which the men were more active or more fond of military pursuits. We possessed every facility for organization; and if the right hon. Gentleman the Secretary of State for War would devote his attention to the subject, he believed that it would be perfectly easy to change our military system greatly for the better; and, in particular, to recruit our forces without difficulty. He should exceedingly like to have the present system investigated in order to ascertain whether it would not be better to enlist a man for a short period of service—such as three, four, or five years—just long enough to make him a soldier—and then send him away under no other obligation than that of serving in the reserve? If they were to do so, and if men were enlisted and taught a trade, families would be desirous of having some of their members in the army, and there would, he believed, be no lack of men to fill the ranks. Let them look at the state of things in Prussia. In the Prussian army, the soldiers were so intelligent and well taught as to require only five officers to 250 men, where we had fourteen or fifteen. And why should we not have in our army carpenters, tailors, builders, and, in fact, men able to do everything that the army wanted? Why should we be dependant on civilians for erecting huts for the men at Aldershot or making their clothes? If a system of this kind were carried out, a great economy would be effected. If the right hon. Gentleman were to turn his attention to the investigation of the whole question of Army Reform, he would confer upon the service the greatest benefit which it had received for many years.

Major JERVIS said, that the hon. Gentleman who had brought this subject forward (Mr. Trevelyan) had told the House that they would improve the efficiency of the army if they were to alter the present system. But he should like to know how they would improve it? He should like to know in what country, in what climate, on what field had the British officer not sustained the reputation of his country? Was it in China—in India—in Persia—in the Punjab? Was it in the Peninsula, or the Crimea, or where was it that he had failed? He could perfectly well understand a Member on the Liberal side of the House bringing forward this question of promotion from the ranks; but then let it be brought forward distinctly, and discussed upon its merits. Before they could raise a large body of men from the ranks they must first increase the pay of our officers. He had heard with the greatest surprise the statement that by doing away with the purchase system they would get rid of the half-pay list. Such a statement would not bear examination for a moment. There were non-commissioned officers who had served with him, and he should be glad to see them commissioned officers to-morrow; but if they were to ask these men their opinion on the subject, they would tell them that while non-commissioned officers they could live, but as commissioned officers they could not. And what were they to retire upon? He was acquainted with a most valuable body of men, the Coast Artillery, all the officers of which had risen from the ranks; and what was their pay? Why it averaged from 6*s.* 4*d.* to 10*s.* 6*d.* He knew a non-commissioned officer who had been promoted from the ranks; he had a wife and children to maintain, and had to live on

6*s.* 4*d.* a day, which was next to starvation. Now was that what hon. Gentlemen wished to bring about? He had acted in common with the hon. and gallant Member for Aberdeen (Colonel Sykes), who had seconded this Motion, in endeavouring to get the question of the Indian officers' claims settled. What was it that had led to the difficulty in that matter? The officers suffered because under the system they could get no promotion, and so they agreed to subscribe to a fund for the purpose of buying out the senior officers and enabling them to retire more quickly. The Government having failed to provide proper retiring allowances, got the officers to do that which they themselves ought to have done; and all that was to save the half-pay list. Now, upon this question he was perfectly impartial. He did not belong to a purchase corps, he was getting on in years, and was rather low in rank. Well, then, being thus impartial, he could bear his testimony to this—that it was the present system of purchase which enabled us to officer our corps with junior men, and when a man was too old enabled him to retire. He hoped this discussion would be carried on in a business-like manner. Let it not go to the country that the House was opposed to seeing men raised from the ranks when they had fairly gained their position. But if they were to encourage promotion from the ranks let them place those who were promoted in a position which would at least enable them to live. The hon. and gallant Gentleman (Captain Stanley) who had made so excellent a speech, had entirely overlooked this point. When the Chancellor of the Exchequer was willing to grant a sum of money to enable them to promote men largely from the ranks, he for one would vote for it. But it was entirely a matter of pounds, shillings, and pence. Let it not go forth to the country that the House was of opinion that a non-commissioned officer, when he received a commission, could live upon his pay, which was something like what a first-class mason could earn, a good deal less than a first-class carpenter, and still less than a clerk in a commercial house or bank would receive. If hon. Gentlemen really meant what they said, let them support a Motion for giving proper pay to the officers of the army, and then they would soon do away with the purchase system.

SIR JOHN PAKINGTON: Sir, both sides of the House will admit that the modest terms in which the hon. Member for Tynemouth (Mr. Trevelyan), in the commencement of his speech, apologized for dealing with a question which had been formerly in the hands of so distinguished a man as Sir De Lacy Evans, were quite unnecessary. In the first place, the mode in which the hon. Gentleman treated the subject was never exceeded for clearness or candour; and, in the next place, it was impossible to forget that the hon. Gentleman is perhaps the fittest man in this House to urge the views he has brought before us, being the son of Sir Charles Trevelyan, who, whatever difference of opinion might prevail as to the merits of this question, has, beyond all doubt, devoted for a long period his great ability and perseverance to its consideration, and has done so in a manner which must have convinced everybody acquainted with what he has written that he could have had no other motive than one the most patriotic and disinterested. I am not at all disparaging what has fallen from the hon. Gentleman opposite when I say that, having read what Sir Charles Trevelyan has written on this question, I am familiar not only with the arguments but even with the extracts which the hon. Gentleman has brought forward with so much ability. I am quite willing to admit, as the result of my own study of this question, that it is impossible to read the Report of the Royal Commission, the various correspondence of Sir Charles Trevelyan and the pamphlets which he has published on this subject, without being convinced that there are great and serious anomalies in this system of army purchase. There are many things connected with that system which are fairly open to criticism, and which at least suggest very serious doubts whether, if we were to commence anew, we should found promotion upon the purchase system which now prevails. I need hardly add, therefore, that I am by no means desirous to be understood as committing myself to any approbation in the abstract of our present system; and I feel it the more necessary to say this, because if the hon. Gentleman presses his Motion to a division, I shall feel it my duty to vote against it. I cannot think that the time has arrived when it would be safe for the House to sanction so strong a declaration as that embodied in the Motion which the hon. Gentleman has submitted. While acknowledging the general fairness of his statement, I feel bound to take exception to the expression of which he made use when he urged, as one of his arguments against the present system of purchase and sale of commissions, that it was "illicit and clandestine." I presume the hon. Gentleman meant to refer not to the general system, but to the practice, which is unfortunately not unknown, of purchasing being carrried on to an excess inconsistent with law and regulation. It is very important that there should be no danger of its going forth to the public that the officers of the British army are carrying on anything that can be called illicit or clandestine in the sale and purchase of commissions, for it is under army regulations, and is perfectly legitimate. Every one, however, who takes an interest in the welfare and character of our army must regret the fact mentioned by the hon. Gentleman, that, although there is an Act on the statute book which renders officers subject to be cashiered if they purchase their commissions, and makes the sale of them a misdemeanour at law, the offence of selling commissions for sums far beyond the regulation price is not uncommon. Whatever opinion may be entertained on the abstract question of purchase, we must all agree that it is very desirable that such transactions should be put an end to, and that law and practice should be brought into harmony. While our present system is no doubt in some respects anomalous and objectionable, it is one, as the hon. Gentleman has reminded us, of great antiquity. He amused the House by referring us to the days of Pepys, and to a negotiation carried on by him for the sale of his commission as Clerk of the Acts. Now, the system of sale and purchase of commissions in the army dates back from a period very nearly, if not quite, as remote as that; and with the exception of an interval of only four or five years in the reign of William III., it has prevailed from that time to the present day. That is surely a fact which ought to have some consideration. Then, again, it must be remembered the circumstance was entirely passed over by the hon. Gentleman, but it has been referred to by the hon. and gallant Members for Harwich (Major Jervis) and Westmeath (Mr. Greville-Nugent), that, whatever its merits or demerits, it has been under this system that the British army has acquired its great renown. Under that system it has during centuries achieved a glorious history, and has acquired such laurels as to give it a rank equal to or higher than any other army in the civilized world. These are facts which the hon. Gentleman should not, I think, have passed over when considering whether or not our military system might be improved by the abolition of this system. Upon another and by no means unimportant part of the subject the hon. Gentleman touched indeed, but not so fully as it deserved—namely, the expense which would be involved in the change which he proposes. My hon. and gallant Friend behind me (Colonel North) rather overstated the present value of the commissions held by officers in the army when he put it at £8,000,000, for, as far as the last official statement enables me to judge, the value according to regulation price is but slightly over £7,000,000. The question, then, arises, what proportion of this immense sum would have to be repaid if the change were made. The view of Sir Charles Trevelyan is that a great number of officers would accommodate themselves to the new system, and would be content to persevere in their military service, receiving full pay on retirement; so that only a small proportion of that sum would have to be paid to retiring officers as compensation for the loss of their commissions. Upon that point, however, a difference of opinion exists. The subject has been referred to Committees on several occasions, and was in 1859 referred to a War Office Committee. They carried on a correspondence with Sir Charles Trevelyan, and differed widely from him in many respects. Sir Charles Trevelyan put the sum which it would be necessary to refund at a much lower figure; but the Committee were of opinion that a sum between £3,000,000 and £4,000,000 would have to be provided out of the public Exchequer to repay officers for the sale of their commissions. When, therefore, we consider that it was part of Sir Charles Trevelyan's plan that the pay of all officers should be raised, and that in order to avoid stagnation in promotions officers should have full pay on retiring, and when we add to this increased expense a sum of no less than £3,000,000 or £4,000,000 for compensation, it is obvious that only a great concurrence of opinion could induce any Government to recommend Parliament to adopt a change of such magnitude. Now, at present, the opinion both of the military and the public is very much divided. I believe the preponderance of military opinion is, rightly or wrongly, in favour of maintaining the present system—whether the preponderance of public opinion is on the same side I am not prepared to say. But, even assuming it to be desirable that the system should be abolished, it is clearly one of such long-standing, and is so deep-rooted in the practice of the army, that until a much greater concurrence of public and military opinion is arrived at the change cannot be carried out. Another point on which a difference of opinion prevails between those who have originated and those who have investigated the proposal is this —that while Sir Charles Trevelyan put the retirements from the list of captains at 500, the War Office Committee estimated them at no less than 2,000; so that before we can commit ourselves to such a measure it is necessary to understand all its bearings. Another aspect of the question which has been alluded to by my hon. and gallant Friend the Member for Harwich (Major Jervis) is the danger of impairing the vigour and efficiency of the army by increasing the difficulty of promotion. Now, we have before us the experience of three different systems of promotion—namely, those which exist in the Navy, in the Royal Marines, and in the Royal Artillery and Royal Engineers; and what do we learn from them? Why, that there is a great difficulty in keeping up a flow of promotion, and in at the same time retaining in our service officers in the prime and vigour of life, when promotion is regulated by seniority. The hon. Gentleman referred to the French army; but that, I think, is an instance unfavourable to his views. There the plan has been adopted of compulsory retirement, at a comparatively early age, according to their rank. I believe a lieutenant-general is compelled to retire at sixty-five, a major-general at sixty-two, and so on, some of the officers having to retire at fifty-three. If my memory serves me right, Sir Charles Trevelyan has suggested a plan not very dissimilar. But how does it operate in the French army? Officers are compelled to retire, complaining and dissatisfied, and they are so reluctant to do so, on account of the very inadequate allowances which they receive, that the junior officers do not seek to be advanced, because the higher they get the earlier the age at which they must retire on an inadequate allowance; so that, instead of the junior ranks being filled, as in our army, by men in the prime of life, they are occupied by men who are much older than is compatible with the interests of the service. Here, then, are warnings which should induce the greatest caution in adopting the plan which the hon. Gentleman has suggested, unless we see our way to the avoidance of those evils to which I have adverted. Sir Charles Trevelyan attaches great importance to a proper system of retirement, and it is quite clear that without such a system it would be extremely dangerous to expose our army to the risks of the change which is proposed. I am quite aware that Sir Charles Trevelyan does not admit that the cost is so great as I suppose; but there is a wide difference between us, and many high authorities differ from Sir Charles Trevelyan on this subject, and are of opinion that the changes he recommends would call for a great increase in our expenditure, and would largely augment the burden of the army. The objections to the purchase system may be divided into two classes—first as to the effect upon the individual officer, and secondly as to its effect upon the public interest. The objection in regard to the individual officer turns chiefly upon two points. The first is the hardship to officers of seeing juniors placed over their heads; and the other is the cruel loss which the death of an officer involves, in the sacrifice by his family of the money paid for his commission. There is no denying that in both these respects the operation of the purchase system is very hard upon officers. It is no doubt very mortifying to officers fond of their profession and anxious for promotion to see their juniors pass over their heads. I am not sufficiently conversant with the profession to decide upon such a point; but it is gravely argued by those who know the army well, that under the system of purchase officers who are unable to buy are sometimes enabled to get their promotion quicker than they otherwise would do. If this is a true view of the question, it goes far to answer that portion of the argument. With regard to the cases where, by the death of an officer, the family lose the value of the commission, it must not be forgotten that there is a great mitigation of this hardship by the Royal warrant, under which the price of the commission is restored to the family where the officers have been either killed in action or have died within a certain period of time after receiving their wounds. No doubt there must be cases of hardship; but it must not be forgotten that men enter upon their career in the army with their eyes open to the risks they run. The strongest argument in favour of the views of the hon.

Gentleman is the public bearing of this question in connection with the command of regiments. In the Report of the Royal Commission this subject is touched upon in a manner that deserves the most serious consideration, and there is a very strong passage, which I will read. They say—

> "The command of a regiment is an important trust, yet it is admitted by high authority that several officers have attained the position of lieutenant-colonel who were unequal to the command of the regiments which they held."

The Royal Commission proceed, in the latter part of their Report, to give their views on the subject. They say—

> "In this respect, therefore, we think that the good of the service will be best promoted by an alteration, and we recommend that hereafter the lieutenant-colonelcy of a regiment should no longer be purchasable, but should be an appointment made by the selection of the Commander-in-Chief from all the majors in that branch of the service. The principle of selection may be most advantageously tried in the appointment to the command of a regiment. The Commander-in-Chief has, it is said, the means, through the information collected at head-quarters, of knowing the character for efficiency and intelligence of every field officer in the army. The responsibility of these appointments will rest on the Commander-in-Chief, and the attention of the whole army will be necessarily fixed on his exercise of this power."

Here is a distinct recommendation by the Royal Commission that in this respect a material change should be made. I think it is a matter of very grave doubt whether we ought to deal with this question piecemeal, and whether it is not better to leave it until we can grapple with the whole subject. You must recollect that it will be a change of the greatest magnitude, amounting to a revolution in our whole military system, and one that no one would recommend without the greatest care and the greatest deliberation. The Royal Commission says—

> "If the purchase system be abolished, it will become indispensable, for the purpose of maintaining the efficiency of the British army, to adopt a new system of retirement and promotion—namely, to make retirement after a fixed age, or period of service compulsory, and to give promotions by selection. It has been further shown that compulsory retirement will be alone an inadequate substitute for the sale of commissions; but we consider that its partial adoption would facilitate the measure we propose for the selection of lieutenant-colonels, while we do not suggest disturbing the existing system as regards the purchase and sale of commissions, up to the rank of major inclusive."

Considering how short a time I have held my present office, it would be presumptuous on my part to commit myself to a distinct

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pledge on the Motion before the House in the face of this Report of the Royal Commission so recently made. Neither can I forget that I have the high authority of the Duke of Wellington in the Report of the Royal Commission on the same subject in 1840. That Commission, in their Report, said—

> "It is manifested in these returns that by far the larger portion of officers are perfectly qualified for their duties, and it is equally apparent that this efficiency is maintained by the system of purchase."

This Report is signed by the Duke of Wellington, the Duke of Richmond, Lords Melville, Howick, and Hill, Sir Charles Adam, Sir Thomas Hardy, and Sir Henry Hardinge, and other officers of the highest consideration. The hon. Baronet the Member for Buckingham (Sir Harry Verney) has expressed a hope that I will avail myself of this opportunity of considering the whole subject of Army Reform. This is a subject as difficult as it is important. I feel deeply how difficult and how important it is. This question of promotion by purchase cannot be considered to stand alone. Our whole military system at the present moment is in a state of transition. We have lately had presented to us the Report of a Royal Commission on our system of Recruiting for the Army. They name two objects of primary importance—one is, how to make the army more acceptable to the country and facilitate recruiting; the other is how to carry on recruiting without those degrading and demoralizing scenes which now unhappily attend it. Only the other day my right hon. and gallant Friend the Member for Huntingdon (General Peel) submitted a proposal for creating an army of reserve and improving the whole position of the British soldier. It will be my duty within a few days to lay on the table of this House the Report of a Commission, over which Lord Strathnairn presided, and which recommends very considerable changes in the administrative staff of the army. It will shortly be my duty to consider the recommendations of the Commission. These recommendations cannot be carried out without very considerable changes in our military system. I hope the hon. Member for Tynemouth (Mr. Trevelyan) will see that I have no prejudiced views. Whatever may be the decision of the House to-night, I reserve to myself the right to consider all those recommendations with regard to purchase in the army to the best of my ability. I have listened with attention and respect to the hon. Gentleman opposite. I have read the able publications of his father; and I hope he will be of opinion that I only wish to deal with the question with the desire to arrive at the best decision. I therefore trust the hon. Member will not think it his duty to press this Motion to a division.

The Marquess of HARTINGTON: I cannot agree with what has been said by the hon. Member for Westmeath (Mr. Greville-Nugent) that these discussions are calculated to do harm to the army. On the contrary, I think that the country is greatly indebted to the hon. Member for Tynemouth (Mr. Trevelyan) for bringing it forward, and in so able a manner. I believe that discussion in this House and in the country is the way, and the only way, in which this question can be settled; and that when once the subject is understood in all its bearings by the House and the country then, and not till then, the question will be settled. I quite agree with the right hon. Gentleman the Secretary of State for War that this system of purchase is full of anomalies and objections; and I believe that there is no true friend to the army who would not be glad to see the system abolished if we could only devise a system without similar anomalies and objections. But, while I do not hesitate to confess that that is my opinion, I still do most earnestly join with the right hon. Gentleman in asking my hon. Friend the Member for Tynemouth not to persevere to a division on this question to-night. I think my hon. Friend may be perfectly satisfied with the support he has received and the discussion which has followed his Motion; and I may add that I think he may also be satisfied with the tone of the speech just delivered by the right hon. Gentleman. The right hon. Gentleman has assured us that he has no prejudice on this subject, and I think we may understand his speech as a pledge that he will take into his consideration, among the other changes which he contemplates for the organization of the army, the possibility or expediency of likewise introducing some changes in the system of purchase. But, in pressing my hon. Friend not to divide, I must say I think that neither in this House nor out of doors is public opinion ripe for coming to a decision on this great subject. It is surely some proof that the state of the public mind is not one in which this question can now be decided, that during the whole time when I had the honour to be connected with the War Office, or during the three Sessions of Parliament, the subject of purchase in the army was never once mentioned within these walls. If such be the condition of public opinion—and I believe the silence on this subject has lasted more than three years—I appeal to my hon. Friend whether it is not rather premature to ask us to come to a decision, after one evening's debate, on so momentous a matter? Let my hon. Friend remember what it is that is involved in this question. Before the House can arrive at any decision upon it it must know what is the system which it is proposed to substitute for the present one. Purchase in the army, objectionable as it may be in many respects, no doubt affords a tolerably rapid system of promotion in the service; and something must be substituted for it if it is to be abolished. It is easy to say you will substitute a system of mixed selection and seniority; but what is there involved in that substitution? The House and the country must be prepared to do certain things which I do not believe it is at all ready to do. We must be prepared, in the first place, to pay the sum of money that will be necessary to carry into effect the plan proposed to be substituted; and before we can pay it we must know what that sum is. I do not believe that my hon. Friend or any Member of this House is capable of forming an opinion at the present time as to what sum the country will be called upon to pay to get rid of this system. However, you must pay compensation to officers for any pecuniary loss which may be suffered. In the next place, you would probably have to pay, in addition to the regulated price of the commissions, the extra price paid for them. In the third place—and this, I think, is a part of the subject which is rather forgotten—you would have to provide an adequate and liberal system of full-pay retirement, in order to give the same amount of promotion which is provided for under the present system. And, in the fourth place, I believe it is perfectly true, as stated by the hon. and gallant Member for Harwich (Major Jervis), in order to do any good, in order to reap any substantial advantage from the change, it would be necessary to revise your whole scale of pay and allowances to officers. I do not now say whether it may not be right for the House to ask the country to incur such an expenditure; but I ask whether the

House is prepared to call upon the country to incur it, and whether the feeling entertained on this subject is sufficiently strong to justify us in pledging the country to pay such a sum of money for such a purpose? I believe it is not; and that the first thing which is required—instead of asking the House to come to a decision on the system of purchase in the army—is to make ourselves much more acquainted than we are with what the real cost of interfering with that system would be. The right hon. Gentleman referred to the Report of a Committee which I think he said sat in 1859. I know not if there would be any public inconvenience in laying the Report of that Committee on the table of this House; but if I might venture to give advice to my hon. Friend the Member for Tynemouth (Mr. Trevelyan), I would suggest that unless there be any reason against it he should move that a copy of that Report should be laid before us, and then the House would probably be able to form some opinion on what are the nature and amount of the expenditure involved in this proposed change. But there is another thing which the House must be prepared to do before it consents to this Motion—namely, not only to pay the sum of money, whatever it may be, which that change would involve, but to put an amount of trust in the highest military authority of this country, which I do not believe it is at present disposed to do. It is always said that you will substitute for the existing system a mixed system of selection and seniority; but does the House consider what is meant when you speak of a system of selection? What is meant is that the Horse Guards or the Commander-in-Chief, or the Secretary of State for War—I know not who, but the highest military authority, whoever he may be, in this country—is to have a certain power of selecting officers for promotion from the whole of any particular rank. Now, we know perfectly well that this House and the country are both—I will not say too ready, but very ready—to take exception to any act of the Commander-in-Chief; and does not the House think that when in the case of every promotion which is made there is a possibility that several very deserving officers may be passed over, complaints will not be rife, or that the Commander-in-Chief or the War Office will not be in daily and almost hourly dispute with this House? Unless this House is prepared to place greater confidence than it has shown any disposition to place in the military authorities, the system of selection is impossible. There is only one other point to which I shall advert, and that is what my hon. Friend said with regard to the scheme which was at one time adopted by Lord Herbert, but not carried out. I think my hon. Friend could not have been acquainted with all the circumstances of the case when he stated that that scheme was dropped entirely from the opposition of the Commander-in-Chief. The Commander-in-Chief did what was perfectly right in the matter—namely, he stated frankly and openly before the Commission the objections which he had to the proposal; but when the Government overruled his objections, I believe he declared in his place in the House of Lords that, though he still retained those objections, he would not press them, but would do his best to carry out the plan; and from what I know of his Royal Highness I am satisfied he would have done so. But that scheme was dropped, I believe, not from the opposition of the Commander-in-Chief so much as from the want of support in this House. It did not satisfy the advocates of the total abolition of purchase in the army; it was, of course, opposed by those who were in favour of the present system; it had not the good fortune to please any party in this House; and that, I believe, was the principal reason why it was not more vigorously pressed. The scheme would have cost a considerable sum of money; no doubt it would also have entailed some of the difficulties which I have mentioned as incidental to any system of selection; and I think the Government of the day, if they did not find that the scheme was satisfactory to any party, or would be properly supported, were perfectly right in not placing the Commander-in-Chief in a position of such difficulty as he would have occupied if it had, under those circumstances, been persevered with. I do not say that that scheme should not be revived; but, if it be revived, there ought to be some prospect of its being much more warmly supported than it was before.

Mr. TREVELYAN, in reply, said, he wished to give one or two simple reasons why he intended to press his Motion to a division. The Secretary of State for War had made a speech that was very gratifying to him—first because of the very kind things he had said of himself, and next because of the way in which he had spoken of one whose reputation was far dearer to him than his own. But the right hon. Gentleman had not answered any of the principal objections which he had stated to the purchase system. Indeed, the right hon. Gentleman's one answer was the consideration of expense. But on that side of the House this matter was thought to be so important that it was worth while incurring any necessary expense rather than that the system of purchase should not be got rid of. The noble Lord who had just sat down (the Marquess of Hartington) said that the public mind was not yet ripe on that question, and that, therefore, a division ought not to be taken upon it. He (Mr. Trevelyan) maintained, on the contrary, that that was just the reason why they should have a division upon it, for that was the way to ripen public opinion. The principal vocation of this Parliament was to start questions which a Reformed Parliament may run down. He wished therefore to know how the question stood: and who was for him, and who against him.

Question put.

The House *divided:*—Ayes 75; Noes 116: Majority 41.

WEST INDIA BISHOPS AND CLERGY BILL.—LEAVE.—FIRST READING.

Mr. REMINGTON MILLS moved for leave to introduce a Bill to repeal the several Acts granting and regulating the appropriation of £20,300 from the Consolidated Fund for the Ecclesiastical Establishments in the West Indies, excepting so far as to continue their allowances to the present recipients until their promotion, resignation, or decease. As he understood that his Motion would not be opposed by the Government, he should confine himself on the present occasion by stating that it was not his intention in making the Motion to interfere in any way with existing rights, as his Bill would only carry out, in the case of the West Indies, the same rule that had been applied to other colonies, and by which, in the case of the British North American Colonies, the annual amount had been reduced from £12,000 to £3,000 by the falling in of lives. He trusted that when the Bill came on for discussion it would receive the sanction of the House.

Mr. ADDERLEY, on the part of the Government, said, he would not offer any opposition to the introduction of the Bill. It was a measure he had himself given notice of some years ago, but deferred for more considerate treatment. He was of opinion that the measure ought to be accompanied by considerable safeguards, for anything like a precipitate repeal of the Acts in question might lead to the production of great mischief, injustice to individuals, and injury to the Church, and even involve a breach of faith with our colonies in the West Indies. Moreover, anything like a precipitate repeal of the Acts would have a tendency to prevent the object which the hon. Member had in view. Not only the present but the last Government had had the subject under consideration, and had even taken steps in the direction of this measure, and both Governments had come to the conclusion that the Treasury ought to be relieved from the charge in question as opportunity occurred. He was of the opinion that this was desirable in the interests not only of the British taxpayer, but also of the Church itself in the West Indies; for both civil and religious institutions thrived best when extraneous support of this description was withdrawn from them, and when they rested on resources on the spot. But it was necessary that a certain amount of discretion should be left in the Executive or Legislature of this country to prevent the confusion which might arise from a sudden change. Not only must existing interests be saved, but a power of gradual reduction must somewhere be reserved; as also a power to anticipate vacancies, and so facilitate the new arrangement. He would go more fully into the question on a future occasion; but at present, while he assented to the introduction of the Bill, the Government reserved to themselves the power of dealing with it afterwards as they might think fit.

Motion *agreed to.*

Bill to relieve the Consolidated Fund from the charge of the Salaries of future Bishops and other Ecclesiastical Dignitaries in the West Indies, *ordered* to be brought in by Mr. Remington Mills, Mr. Bazley, and Mr. Lamont.

Bill *presented,* and read the first time. [Bill 126.]

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

£402,000, Advances for New Courts of Justice and Offices.

Mr. HUNT said, he rose to propose a Vote of £402,000 for advances for the purchase of the site and for other purposes in connection with the new Courts of Justice.

Mr. SELWYN inquired what would be the total cost of the site, and how far the original Estimate had been exceeded?

Mr. HUNT could not state what the cost of the site would be, as the question of enlarging the site was still under the consideration of the Commission. The House would not be precluded from considering that matter by the adoption of the present Vote.

Vote *agreed to.*

House *resumed.*

Resolution to be reported *To-morrow.* Committee to sit again *To-morrow.*

VACCINATION BILL.

On Motion of Lord Robert Montagu, Bill to consolidate and amend the Laws relating to Vaccination, *ordered* to be brought in by Lord Robert Montagu, Mr. Gathorne Hardy, and Mr. Hunt.

Bill *presented,* and read the first time. [Bill 125.]

ROMAN CATHOLIC CHURCHES, SCHOOLS, AND GLEBES (IRELAND) BILL.

On Motion of Sir Colman O'Loghlen, Bill to amend the Law as to the granting of Sites for Roman Catholic Churches and Schools, and to facilitate the Creation of Glebes and the Erection of Residences thereon for Roman Catholic Clergymen in Ireland, *ordered* to be brought in by Sir Colman O'Loghlen, Mr. Gregory, and Mr. Murphy.

Bill *presented,* and read the first time. [Bill 127.]

House adjourned at Eight o'clock.

HOUSE OF COMMONS,

Wednesday, May 1, 1867.

MINUTES.]—Supply—*considered in Committee*—*Resolutions* [April 30] *reported.*

Select Committee—On Mines, &c., Assessment *nominated.*

Public Bills—*Resolutions in Committee*—Pier and Harbour Orders Confirmation.

Ordered—Pier and Harbour Orders Confirmation.*

Second Reading—Railways (Guards' and Passengers' Communication) [39]; Turnpike Trusts [80]; Promissory Notes (Ireland) [90], *negatived.*

Referred to Select Committee—Turnpike Trusts [80].

Withdrawn—Public Houses, &c., Regulation [83].

RAILWAYS (GUARDS' AND PASSENGERS' COMMUNICATION) BILL—[Bill 39.]

(*Mr. Henry B. Sheridan, Sir Patrick O'Brien.*)

SECOND READING.

Order for Second Reading read.

Mr. H. B. SHERIDAN moved the second reading of this Bill. He said, that it was the same measure he had introduced last year, and which had been referred to a Select Committee. Its object was to establish some means of communication between passengers in railway trains and the guards in charge of them. There was hardly a train conveying passengers, or any other kind of train, which was not at present provided with the means of communication between the guard and the driver. He believed that the mode of communication established was by rope or wire, which rang a bell close to the ear of the engineer. All he asked by this Bill was, that a similar means of communication with the guard should be extended to travellers. It was not intended to enable the passenger to interfere in any way with the driver of a train, but to communicate with the guard, who would see whether there was anything materially wrong, such as a carriage off the line or a tire off a wheel, which required that the train should be stopped, or whether it might proceed to the next station. He believed that no difficulty would be found in establishing the means of communication between the guards and the passengers. Having recently travelled in the North of Germany, in Belgium, and in France, he could bear testimony to the precautions taken in those countries in this respect. It was maintained at all hours of the day and night. The Bill contained penalties on companies not adopting the proposed communication, and upon those who maliciously interfered with the machinery of it. It did not provide for any special means of communication, but left it to the several railway companies to say what should be its character, —the Board of Trade or the ordinary inspectors of railways determining whether it was efficient or not. The South-Eastern Railway, much to its credit, had established efficient and complete means of communication of the kind required. There was no poverty of invention in the suggestion of plans, 300 or 400 of which, on different principles, had come under his notice. The South-Eastern Railway Company had recently made an experimental trip, and the experiments in the way of passenger and guard communication had been quite successful. It was unnecessary to say that if some such means had been in operation on their lines of railway, some frightful accidents might have been averted, and minor casualties could be prevented by the same precautions. What were the objections to the Bill? One was that there existed no necessity for legislation on this subject, and another was that if a means of communication between passengers and guards were established they would have old women travelling by rail needlessly interfering with it. The points to be considered, in order to prove the question of necessity, were those in connection with that species of accident which perilled the safety of an entire train—such, for instance, as an accident caused by one of the advanced carriages of a train slipping off the rails, or a fire, which, after smouldering for some time, burst into a flame. In connection with this point, he should like to read a short extract from a letter written by Mr. William Holbrook, of Nottingham—

"The Government Inspector's Report of Railways for five years, 1859-60-2-3-4, shows that 1,132 persons were killed, and 2,911 persons were injured during the same period. In one accident alone the company paid about £34,000. On November 28, 1866, near Hitchin, a train was on fire, the passengers were whistling, shouting, and banging the carriage doors for nearly a quarter of an hour before they could make the guard hear. If my plans had been in operation at the time the train would have been stopped in half a minute from the time the passengers knew it was on fire. For the year 1865 thirteen railway companies paid compensation for injuries to persons, &c., to the amount of £304,376. Surely, sir it is time some action was taken to prevent this great loss of life and property, either by compulsion on the part of the Government or by the directors of the different lines of railway themselves. The public have a right to demand safety for life and property while travelling for business or pleasure."

In a note at the end the writer said—

"Two years and a half since I offered my plans to a railway company. I was told by one of the directors they had agreed not to countenance anything only what came from their own engineer. I told him then the thing was settled — their engineer must have all the brains in the world ; so I bid him good morning. Since I offered my plans, I should think, on the different lines of railway, the property destroyed and compensation paid for persons injured and killed would amount to above £100,000. That would have been prevented if my plans had been applied on the different lines of railway at the time."

From one of the morning papers he had taken the following :—

"Yesterday a train took fire on the Midland Railway between Birmingham and Derby. It appears that the body of one of the carriages in the mid-day down train, either through being too heavily freighted or in consequence of defective springs, sank down on the wheels, and the friction set the wood on fire. One of the passengers shouted out of the window, and his cries being heard by the passengers in the adjoining carriages, at length the attention of the guard was attracted. The train was brought to a stand near Tamworth, and the carriage, in which a considerable hole had been burnt, was detached from it. Some luggage belonging to a lady was burning, but the damage done was immaterial."

Another paper said—

"An accident happened to a passenger train on Thursday evening, on the Cambridge and Hitchin line. The train was travelling at the rate of about twenty-five miles an hour, and, when near Shepreth, one of the carriages got off the line. After bumping along for some minutes it was precipitated down an embankment, and the two following carriages were turned over. The passengers were more or less seriously injured, but we understand no lives were lost. The inhabitants of the village, and especially a kind-hearted lady named Mrs. Ellis, paid every attention to the passengers ; and the engine not having gone off the rails, the remaining carriages were enabled to proceed on the journey. It is stated by some of the travellers that if there had been any means of communicating with the driver the train might have been stopped before the embankment was reached."

With respect to accidents by fire he found that His Royal Highness the Prince of Wales had a narrow escape while travelling by train from the Russian capital to Berlin. The special correspondent of *The Daily Telegraph,* writing to that journal from Berlin on December 1st, 1866, said—

"Just after it got dark there was an alarm of fire, and it turned out that the Royal carriage was burning. Happily the danger was discovered close to the station of Braunsberg, where the train stopped. Whether a wheel had caught fire, or the pipes with which the carriages were warmed had got overheated, nobody seemed exactly to know. Fortunately, there was no harm done to anybody, but the carriage was so much charred that it was thought unsafe to proceed in it. Some compartments in the ordinary cars were cleared for the Prince and his companions, and after a long hour's delay we got on again, leaving the saloon carriage still smoking as we passed out of the station."

Since the Select Committee was appointed on this Bill last year, he had had a conversation with a Member of the House, who had told him that on one occasion when travelling by express train on the Brighton Railway he perceived a strong smell of fire, which proceeded from the door of the carriage. He had no means of communicating with the guard, and by the time the train had arrived at the next station the door was a mass of charred wood. The gentleman who had acted as Secretary to the Select Committee of last year had informed him that he had on one occasion been in a railway carriage the wheels of which came off one after another, letting the body of the carriage down upon the ground, and that it was not until the lives of the passengers had been in serious jeopardy for some considerable time that they succeeded in attracting the attention of the guard. There had been a notice in *The Times* some time ago of a gentleman having his head cut off by a post when leaning out of the carriage window in endeavouring to attract the attention of the guard. *The Times* of that morning also contained a letter from a gentleman who had unsuccessfully tried to communicate with the guard, the carriage in which he was being on fire. Thus, it could not be disputed that a case of necessity for communication between the passengers and the guard had been established. With respect to the other objection—namely, that the communication was liable to be interfered with by persons travelling by rail, the best answer which could possibly be given to that objection was derived from the experience gained on the South-Eastern Railway. Mr. Eborall, the manager of that line, had assured him that in no single instance had the means of communication between passengers and guards, established on their line, been interfered with. Under these circumstances, he trusted that the House would agree to read the Bill a second time. He should be happy, when the Bill was in Committee, to consider favourably any Amendments which might be suggested by the Government or the railway interest to any of its provisions. If it were the wish of the House, he should have no objection to exclude the Metropolitan Railway from the operation of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. H. B. Sheridan*).

MR. STEPHEN CAVE said, he had no objection to this Bill being read a second time; but he reserved to himself the power of opposing it in a future stage, unless the hon. Member made such alterations as seemed to him to be necessary. It would be unadvisable to pass it in its present shape. To require railways to make the necessary arrangements in three months would be requiring them to do what was physically impossible. He should also object to the Board of Trade or its inspector being asked to certify that effectual means had been provided when it was doubtful whether effectual means had yet been discovered. Experiments were being made daily. Men of science and of practical mechanical talent had had their minds directed to this object. It was well known that a really good and perfect plan would be taken up and well rewarded. If the House compelled the railways to adopt at heavy expense one of the present confessedly imperfect means of communication, they would do great mischief by retarding and throwing discouragement in the way of something better. Many people thought that they should not interfere in these matters at all; that they should trust to the heavy penalties and loss inflicted on companies in case of accident; and that Lord Campbell's Act was better than any interference with the details of management. The truth, as usual, probably lay between the two extremes. It was, no doubt, true that the accidents happening to railway travellers were much fewer in proportion than those which occurred under the old coach system. More people were killed in the London streets than on all the railways in the kingdom. It was also true that a very small portion of the accidents which did occur would be prevented by communication between passengers and guards. But it might be said, on the other hand, that the outrages which had sometimes been perpetrated in carriages, and which might have been prevented if such communication had existed, necessitated interference with the preliminary arrangements of a journey, because, while they entailed great injury on individuals, they caused little or no loss to the company. Then, the question arose whether any effectual means had been discovered for carrying into effect the provisions of this Bill. An excellent Report of Captain Tyler to the Board of Trade, made the year before last, went very fully into the question. It showed the endeavours made in England and on the Continent to prevent the helpless isolation of passengers by communication through signals, or by the construction of the carriages. With regard to the latter the ordinary contrivance on the Continent was the outside step. This was very dangerous, sacrificing, as appeared from Belgian accounts, the lives of guards every year. It was also supposed to give facilities both for outrage and escape, as in the case of the murder of M. Poinsot in France a year or two back. It was, besides, impossible to apply it in England without altering the width of carriages and of tunnels and bridges throughout the country, the expense of which would be very great. He had travelled by railway in most of the countries in Europe and in America; but he did not share in the condemnation sometimes pronounced on the English carriages. The American carriages were suited, no doubt, to the plan of one class without distinction. The Austrian were an improvement on the American, but almost equally wanting in the privacy demanded by English feeling in this country; and they were excessively cold in winter. The Russian carriages with a passage in the middle, cabins on each side, saloons at each end, and other conveniences for a long journey, and with four means of exit, were very good, probably the best of all, but they were too wide for our gauge, and too long for our curves. The Swiss, with three classes in one carriage, and communication from higher to lower, but not the reverse, were also good, and the guard could walk through them. But the great objection to all, or almost all he had described, was the dangerous exit at the end. In a crowded carriage, if there was a panic, it would be as difficult to get out as in a church or theatre. Then came the means of communication by signal. The earliest probably was the bell and rope. Travellers by the Great Northern if a little before their time might have seen a cord threaded from carriage to carriage low down under the footboard. This rang a bell in the guard box and the engine. But he remembered a Member of that House telling him that he found himself once in a carriage with one other passenger, whose conduct, after a time, began to excite his apprehension. He seemed very uneasy, looked out, listened, and stretched out of the window till his informant thought he was going to throw himself out, and came to the conclusion that he was shut up with a madman. His uneasiness increased when his fellow traveller, after leaning out further than ever, turned to him and said, "Have you any objection, Sir, to take hold of my leg?" But he proceeded to explain that he was an engineer, and that from a sound he heard he thought something was wrong with the axle, and wished to get at the rope in order to stop the train, which, with the assistance of his companion, he did. He mentioned this to show that it was evident that such a contrivance could hardly be called effectual, especially with regard to the use of it by a lady. Then came the reversed sentry-box of the Great Western, the mirrors of the Cette Railway, and the bells and whistles of the Dutch and German lines. It was clear that these must often fail in tunnels, in fogs, in the night, and where there was much rattle in the train. They were condemned by the French Commission in one brief sentence, "The sight signals cannot be seen, and the sound signals cannot be heard." The best signal seemed to be the electric, used on the South Western and on some of the French railways, which rang bells in the guards' vans and engines, and dropped a semaphore to the side of the carriage in which the signal was given. The hon. Member had also mentioned with approbation that used on the South Eastern. But, as the guard could not on many lines, at least, reach the carriages, the only plan was to stop the train, which must necessarily be done with great caution on lines like ours, on which trains follow each other so rapidly. This safeguard was on the lines to which he had referred combined with windows between the compartments. To this objection was sometimes taken by those who wished to have the security of publicity without its inconvenience. He was afraid this must be classed with the inconsistent advantages at which all aimed, but which none were destined to reach. It was absolutely necessary that any wanton tampering with these signals should be severely punished, but he was not quite sure that this would be sufficient. Some fine should be inflicted on causeless alarm, otherwise great inconvenience might ensue. He remembered seeing a farce in Paris a short time ago, in which a nervous lady was represented as finding herself several times during a journey alone with one of the other sex. Each of the unhappy men in his turn made some polite advances, on which she immediately broke the glass, and pressed the spring. The train came to a standstill. The guard appeared; she explained her alarm. "Madame, le motif n'était pas suffisant; c'est cinquante francs s'il vous plait!" This method of signalling was computed to cost £10 a mile, and 10 per cent on outlay for maintenance. It would, of course, be absurd to require that it should be used for trains stopping at short intervals. He believed directors would not be unwilling to do all they could for the safety of passengers. It was certainly to their interest to do so, and they themselves travelled as much, if not more, than other people. When he heard the terms in which they were sometimes spoken of in that House, he was inclined to ask, parodying Shylock, "Hath not a director organs, senses, passions, hurt by the same means, subject to the same accidents as a Christian?" At the same time they required, like most other people, a little wholesome pressure, and when it was remembered that it was exactly twenty years ago, in 1847, that the first circular on this subject was issued to the companies, legislation could hardly be called precipitate. The Railway Commission would report at the end of the week; and therefore he thought that the hon. Member should put off his Committee till the House had had the opportunity of considering how far his Bill could be made to square with the recommendations of that Report. He had made these remarks in consequence of the Bill not having been discussed at all last Session, and on the understanding he had mentioned he would not oppose its second reading.

Motion *agreed to.*

Bill read a second time, and *committed* for *Tuesday* 14th May.

TURNPIKE TRUSTS BILL—[Bill 80.]

(*Mr. Knatchbull-Hugessen, Mr. George Clive, Mr. Ayrton, Mr. Goldney.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Knatchbull-Hugessen.*)

Mr. WALPOLE said, he had no objection to the Bill being read a second time, on the understanding that it would be referred to a Select Committee. It would, perhaps, be convenient if he were to refer to one or two points, to which the attention of the Select Committee should be especially directed. The Bill which purported to alter and amend the law relating to turnpike trusts, was really intended to effect the abolition of tolls. He wished to call attention to the three parts of the Bill. The first provided that where there was no debt remaining and the trust had expired, it should be discontinued at the end of a year. The second, that in cases where the trusts had expired but debts remained, provision should be made for extinguishing such debts. The third, and most important, related to the rate-in-aid, where the trust had expired, and where the charge thrown upon the parishes through which the road passed was deemed by the justices of the peace in quarter session to be unduly augmented. Upon the first he was not in a position to arrive at any conclusion as to whether or not the House would think it desirable that the trusts therein referred to should expire within the year, irrespective of all local circumstances. There were many matters that would have to be inquired into by the Select Committee before they could advise the House to accept one iron-bound rule to be applied in all cases. The second portion of the Bill also appeared to be open to objection. He did not see that any provision had been made to meet the case of the Secretary for State not approving the arrangements that had been entered into for the extinction of the debt. Also, if the tolls were to be applied solely in extinguishing the debt the duty thrown upon the parishes of repairing the roads would be badly performed. The third portion would require very careful consideration, as it involved the most important principle in the Bill. The Bill proposed to enact—

> "In all cases where it shall be made apparent by the local authorities to justices of the peace in Quarter Sessions that the rates of any of the several parishes or highway districts have been unduly and disproportionately augmented in carrying out the provisions of this Act, it shall be lawful for such justices to contribute any funds out of the county rates already assessed or to be hereafter assessed for the purpose of aiding and assisting any of such parishes or highway districts which, in pursuance of any order under the hand of the said Secretary of State, has been directed to be assessed by the said local authorities for the purpose of maintaining and keeping in repair the portion of the turnpike road which passes through any such parish or highway district, according to the provisions hereinbefore contained, and such contribution shall be apportioned by the said justices between and amongst any such parishes or highway districts in such manner as they may deem expedient."

That was a very important provision. It was an attempt to meet that which had always been a difficulty in every proposal for discontinuing turnpike trusts by what he had called the rate-in-aid, that was by extending the area of rating. But what was to guide the justices in determining whether there had been an undue and disproportionate augmentation of the charge? That charge might vary from 1*d*. to nearly 2*s*. in the pound in different parishes. He threw out these observations for the purpose of drawing attention to the points which the Select Committee would have to consider. The Select Committee should have all the necessary powers to enable them to fully investigate the matter. He should not object to the second reading of the Bill provided it was clearly understood that it was to go before a Select Committee.

Mr. WHALLEY said, that the object of the measure was to meet the difficulties which existed by giving to the Home Secretary on the one hand, and to the magistrates on the other, power to deal with the local circumstances out of which difficulties arose. He desired to express his obligations to the hon. Member who had brought forward this Bill in fulfilment of a pledge of the late Government upon the occasion, when he (Mr. Whalley) brought forward one of a similar nature. The matter was ripe for decision, after the evidence which had been taken by the Committee which had sat upon the subject. The Bill carried out a desirable object much more effectually than the Bill he had himself been allowed to introduce. The sound, originial, and constitutional principle was, that the roads should be maintained by local property; but within a brief legal memory these turnpike trusts were sanctioned by Parliament on a false pretence of improvements, and the public was made to pay not only for improvements but for the maintenance of the roads, the onus of providing for which of right lay with the property of each district. This was a grievous injustice inflicted upon the public, and all the objections urged against the Bill rested upon a desire to perpetuate the wrong.

Mr. KNIGHT said, that abolishing the turnpikes would be a great boon to the public; but he did not agree that this charge should be entirely thrown upon real property. These roads were, no doubt, for the good of the land; but generally they were made in an agricultural district lying between two great centrés of trade. They were not generally in the position of parish roads, and they cost four or five times as much as the parish roads to keep them up. If the Bill passed in its present shape it would throw a grievous burden upon the holders of one description of property. Nothing could be fairer than that those who used the roads should pay for them. If the expense of the turnpike roads were thrown upon the parishes there would be great discontent excited throughout the country. A part of the expense should be placed upon the Consolidated Fund, as had been done in reference to the police and the poor, and for the same reason—namely, that the object to be obtained was for the benefit of the whole country. He hoped that when the Bill was returned from the Select Committee there would be provisions for placing part of the expense upon the general public instead of its being all placed upon real property.

Lord HENLEY said, that as a Member of the Select Committee of 1864, he had been much struck by the local circumstances detailed before that Committee, and believed that, but for those local circumstances, legislation would long since have been attempted. Indeed, the difficulties of this kind were so great that he hardly knew how the Select Committee would deal with them. In 1863 the Metropolitan Turnpike Roads Act threw seventy miles of roads on to what were principally suburban parishes, and there was great opposition. But these suburban parishes had not a leg to stand on, their vicinity to the metropolis, from which the traffic came, benefiting them to an extent much more than proportionate. But there were cases in which, though the burdens might increase, the benefits failed to do so. Districts, for instance, where the land through which the road passed remained agricultural in its character, though there might be a large town at either extremity of the road. Then there were cases where there were mines, the immense traffic from which cut up the roads very much, whilst many paid no rates at all. Others only paid upon the royalty, which was nothing like what a rate upon the produce of the mine would be. Lead and iron mines did not pay any rates, so that, unless they were actually levied on the carts containing the heavy material, they escaped altogether. In the case of coals no amount was ever levied by a rate upon the estimated yield of a colliery corresponding to that paid in actual turnpike tolls. The rate was charged on a royalty payable to the owner of the mine. Probably £70 a year might be produced by a rate, where the tolls or carriage of the coals before had yielded £300 or £400. Pleasure traffic, to such places as the Peak in Derbyshire, used the roads very largely, and yet would not pay a single farthing in the shape of rates towards their repair. Except, probably, for their hotel bills, the excursionists, if there were no tolls, would escape scot free. There were many local circumstances of this nature, forming a great variety of separate cases, which he did not believe could be lumped with advantage, and dealt with off-hand in one sweeping general Act. As to the case of parishes which were to contribute to the amount of the debt, he understood the Secretary of State was to allocate the debt upon the different parishes through which the road went. This might answer in counties where there were highway boards; but parishes which were not in any highway district would be placed in very great difficulty, and would have good ground to complain of the burden which would be put upon them. The debt would have been incurred without their advice or consent. Perhaps it had been incurred unwisely, or there had been no prudence used in paying it off. Then it was said that there might be a rate in aid for these parishes; but he did not think it right that they should be thrown upon such a precarious resource. They would be thrown upon the mercy of quarter sessions, and there would be great opposition to a rate-in-aid in support of particular parishes. These were points to which he thought that the Committee should attend.

Mr. HENLEY said that the first thing that struck him was, that it was something new to refer a mass of debt amounting to many millions to the arbitrary decision of the Secretary of State, and particularly so when they considered how some of the debt had been incurred. The Bill would summarily deprive parties of the power which they had hitherto possessed of coming to Parliament and making out a case, if circumstances rendered that feasible, for the renewal of their security. There were certain provisions according to which the trustees were to arrange the value of these securities. Then the matter was for the approbation of the Secretary of State, whose duty would not be very agreeable. He knew of no instance in which a similar course of proceeding had been adopted in reference to so large a property. Nothing could work better than the present mode of winding up these trusts. The circumstances of the different turnpike trusts were so various that he doubted very much the possibility of making a general law that would work well for the whole of them. It was proposed that under certain circumstances the county rate should be called in aid. The counties would thus be called upon to pay by rates monies over the application of which they would have no control. He feared also that this Bill would destroy the state and good quality of the turnpike roads. No one could doubt that the turnpike roads were, as a rule, in a better condition than the parish roads. He did not know what security they could have that the parishes would keep the turnpike roads in a better condition than they kept the parish roads. Parishes were not fond of spending more money than they could help, and as long as they kept clear of indictments they would be satisfied. Anything in the way of improvement, such as cutting down hills, would come to an untimely end. As to the debt, much of it had been incurred for the purpose of making improvements, and to keep them in repair for the sake of the through traffic; and his experience was that the through traffic never paid for the roads, large as the tolls were. The Bill, in its present state, was very objectionable.

Mr. GOLDNEY said, that if it had not been for the local circumstances which had been referred to, turnpikes would have been swept away long ago. As a general rule, the amount of taxation imposed in the shape of tolls on parties living in the neighbourhood of roads for their maintenance was in excess of that which they would have to pay if the whole of the expense were levied in the shape of rates off the different parishes. There were about 22,000 miles of turnpike road, and there were upwards of 7,700 houses for the collection of tolls. The average cost of repair for these roads for a long series of years had been £51 per mile, and in addition to this there were the expenses of collection and the profit to the lessees of the tolls. These two sources of expense together amounted to a sum of very nearly £400,000, and this sum the public paid in excess of the real cost of repair. This added expenditure brought the average cost of repairing turnpike roads up to £70 per mile; the cost of parish roads being, some years ago, as low as £11 per mile. Practically, the through traffic had now been absorbed by the railways, and if residents along the roads would calculate, as a friend of his had done, what they actually paid now in the shape of tolls, as compared with what they would have to pay hereafter in the shape of rates, they would probably find that a saving would be realized by the latter method of collection. The expense of a double set of surveyors and management would be saved when there was no longer two systems of road management in existence. As to the apprehensions excited by the proposal to intrust the Secretary of State with these powers, it must be remembered that for a long series of years the Secretary of State had exercised powers of a precisely similar character, whenever parties applied for a renewal of Turnpike Acts. The result of the Bill would be that the highway Boards would have the power of limiting the expenses of the repair of the bye roads when the main roads were open to the public free. He knew that there might be some difficulty in the carrying out of this measure, but was fully convinced that the time had come for abolishing the present turnpike system altogether, and under those circumstances he should support the Bill.

MR. BEACH said, he could scarcely see how this Bill could be carried out without inflicting injustice on certain classes of the community. It was founded upon the Report and recommendation of the Select Committee of 1864. The witnesses that were examined before that Committee, however, in almost every case came there with but one notion—namely, to get rid, if possible, of the present turnpike system. Some of them volunteered to give evidence in order to detail their own exceptional grievances. When it was proposed to make such a sweeping change as that of shifting the burden of those rates from the shoulders that at present bore it to the various parishes throughout the country, he thought it was only fair that the evidence of witnesses from the classes that were to bear the burden in future should be taken. Within the last few years the debt had been reduced from £7,000,000 to about £4,000,000, and judging from that fact there was every reason to suppose that in a few years more the whole debt would be entirely wiped out. No one could doubt that a considerable saving in the management of roads would take place if these trusts were abolished; but the burden on the locality would be increased. The only question was, whether the Consolidated Fund should not be called upon to assist in paying off the debts. At present the broad principle was carried out that those who used the roads paid for them. If those who came from a distance contributed nothing to the maintenance of the roads it would operate as a great hardship in many instances. A timber dealer who gave evidence before the Select Committee stated that he kept eight or nine horses in constant work; but that if tolls were abolished he would only pay a rate on £25 a year, the annual value of his house. If, however, on the contrary, as was contended, the roads were simply used for local purposes, why should those who were anxious to change the law in their own case interfere with those who desire for the present to maintain it. As to the suggestion that an appeal to the quarter sessions would be a security against a grievance inflicted, it was his opinion that the quarter sessions would not be inclined to interfere at all in the matter. He hoped that the Select Committee to which the Bill was to be referred would take into their consideration the case of those trusts that were really progressing in a favourable manner, as it appeared to be most undesirable to deal with such in the summary way in which the Bill proposed to treat them. Let representatives from the different trusts give their views, and the Committee would be able to deal in a fairer manner with the variety of their interests.

MR. G. CLIVE said, that the owners of property and not the Consolidated Fund ought to bear the burden of the debt. The roads had been made, for the most part, for the benefit of the owners of property, and they ought to pay the debt where debt existed. As Chairman of the Committee of 1864, he could assure the hon. Gentleman (Mr. Beach) that he was mistaken in supposing that there were no witnesses called or examined but such as were favourable to the proposed change of the system. There were several gentlemen examined who were decidedly favourable to the existing law. The evidence, however, as well as the recommendations of the Committee, had effected a marvellous change in the opinions of many who had hitherto supported the existing system. He rejoiced that the dear old fallacy about those who used the road paying for the road had intruded so little into the discussion. As regarded the carriage of timber, minerals, and other heavy substances, special provisions must, of course, be introduced on that head. If the Committee by which the Bill would be considered were a good one, as he had no doubt it would be, he had great hopes that the Bill would be worked into a good shape.

Sir MICHAEL HICKS-BEACH said, that there was a general prevalence of opinion that some alteration should be made in the law relating to turnpike trusts. He approved many of the Bill's provisions; and hoped that the labour undertaken by the introducer would result in substantial benefit to the country. He particularly approved of that part of the Bill which recognised the hardship inflicted on some parishes by the abolition of the trusts. He hoped that the principle laid down in respect to that would be carried further. But he had several objections to the Bill as it stood. If, for instance, the cost of maintaining the roads were thrown upon the rates, the tax would weigh heavily upon some descriptions of property and lightly upon others. Some alteration was absolutely necessary in the present basis of rating, and also in the area of taxation, before a rate for mending roads could be fairly levied. And if, as the right hon. Gentleman (Mr. Henley) had recommended, the court of quarter sessions should have power to make a rate, it should also be given extraordinary power enabling it to insure that the rate was properly applied. He should like to see clauses introduced making highway districts compulsory throughout the country. In this matter the example of South Wales should be followed. In each of the six counties of South Wales there was a head county Board. In England a similar Board might be constituted with power to dispense money, and also to appoint a chief surveyor to superintend the operations of highway surveyors throughout the country. At present the surveying department was ill-attended to. Either the district was small, and presided over by an incompetent man, at a low salary, or else the district was too large for the surveyor properly to do his duty. He objected to the way in which the Bill proposed to deal with trusts whose debts had been liquidated. The proposal was that those trusts which had paid off their particular debts should cease in 1868, but that the remainder should continue on for ten years longer, or until they had paid off their debts. Now, the practical result of such an arrangement would be that the public, who were generally disposed to go even a round in order to avoid the tolls, would favour those roads in which they had been removed, and would thus create a greater burden upon the ratepayers of particular parishes than they had hitherto borne. It was his opinion that all the trusts should be kept up until the whole debt was paid off. At a recent meeting of the Central Chamber of Agriculture, at which he was present, two resolutions were passed. The one was to the effect that the turnpike trusts should be abolished simultaneously. The other was, that inasmuch as a portion of the expenditure for the turnpike roads had been incurred for Imperial purposes, the Consolidated Fund ought to aid in the payment of the debt. In France the main roads were maintained out of the Imperial revenue, and much public money had been spent in Scotland in making roads; but it was only in very rare instances that the State had contributed to the making of roads in England. He asked whether, as the credit of the country was applied on behalf of bankrupt Irish railways, it should not in equal justice be applied in behalf of bankrupt English roads. ["No!"] Of course, Irish Members would say "No!" He trusted that the Bill would be sent before a Select Committee and there improved.

Colonel FRENCH said, that having served on the Committee of 1864, what struck him most was the injurious treatment which the ratepayers had received under the present system and the extraordinary system that was kept up in order to favour the mortgagees. He believed there was scarcely a single debt hanging over the turnpike trusts that was perfectly legal. The Acts in respect to the debts which were paid off had all expired, and the Acts relating to those which were not paid off had also expired; but the tolls were kept up by continuous Bills introduced year by year by the Home Department. In the case of the debts which had not been paid off, there was really no legal claim, because the conditions upon which the money was advanced had not been fulfilled. He strongly objected to the continuance of a system which placed a double charge upon the ratepayers of the country, and he should support the present Bill, believing that some advantage would arise from it.

Lord GEORGE CAVENDISH said, he thought that they might with advantage go to Scotland for some hints as to the future management of the turnpike roads. Although the Bill introduced by the noble Lord the Member for Haddingtonshire (Lord Elcho) and the subsequent measure of the Lord Advocate in respect to the turnpike system of Scotland had failed to pass into a law, Scotchmen, with that shrewdness and sagacity which characterized them, proceeded to introduce Bills for their several counties, and thus with great prudence and judgment managed to get rid of their tolls. He was quite in favour of an alteration in the law of this country. One great evil in existence was the expense attending the renewal of those turnpike trusts. He believed that every measure introduced for the renewal of a trust, though unopposed, cost about £500 or £600, which money was taken from the pockets of the public. He should be glad to see an improvement of this system. He hoped his hon. Friend would be able so to improve his measure by the aid of the Select Committee that it would pass with ease.

Mr. KNATCHBULL-HUGESSEN said, that having made a very full statement upon the introduction of the Bill, he should not have troubled the House but for some objections which had been raised during the course of the debate. His hon. Friend the Member for North Hants (Mr. Beach) had stated that the Bill was founded upon the Report of the Select Committee of 1864. He (Mr. Knatchbull-Hugessen) begged to say that, although he was grateful for the assistance which he had derived from that Report, the Bill was founded upon long and earnest consideration of the question; upon some little practical knowledge of the working of the turnpike system; and upon the sincere belief which he entertained that the time had arrived when the question might receive a satisfactory solution. His right hon. Friend the Home Secretary had mentioned several points to which he would refer. And first with respect to the case in which the Secretary of State might not approve of the provisional arrangement made between the trustees and the mortgagees, the right hon. Gentleman had said that no provision was made as to what should be done. He (Mr. Knatchbull-Hugessen) was obliged to the right hon. Gentleman for pointing out that which might possibly be an omission in the Bill. The intention certainly was, that when no arrangement could be made which the Secretary of State approved, he should then proceed upon his own authority—inquire, by means of the ample machinery at his command, into the value of the debt and circumstances of the trust, and make his order accordingly. Then the right hon. Gentleman had spoken of the tolls maintained for a certain time by order of the Secretary of State as if they were only to be applicable to the payment of establishment charges and debt. But a reference to the latter part of Clause 5 would show that the surplus of such tolls was to be applicable to the repairs of the roads within the parishes and districts; and when it was said that the ratepayers were going to have the responsibility of a large amount of debt thrown upon them, he must observe that this was only a nominal responsibility. Let it be remembered that the ratepayers and the tollpayers either were or were not identical. If, as was sometimes contended by the opponents of turnpike abolition, they were not identical, then, during the maintenance of the tolls, the ratepayers would be receiving extraneous assistance towards the discharge of the debt. If, on the other hand, they were identical, the ratepayers would be no worse off than at present. They would have, as at present, to pay the interest of the debt; and any temporary increase of their rates would be in a great measure met by the economy in the management and collection of tolls which, having the matter for the first time under their own control, they would be able to effect. His noble Friend behind him (Lord Henley) had made two objections to which he must refer. One related to the fact that lead mines and some other mines not being rated, and the traffic from them being considerable, the effect of toll abolition in the mining districts would be very injurious to the neighbouring parishes. He would, however, remind his noble Friend (in addition to arguments which he had formerly advanced with reference to the advantages which the existence of mines and similar properties conferred upon a neighbourhood) that this very question of the rating of mines was at this moment under the consideration of a Select Committee, and that the objection was therefore in a fair way to be obviated. The other objection of his noble Friend was made upon the supposition that in some cases the debt would remain and be left upon the parishes after the tolls had ceased to be collected under the order of the Secretary of State. This, however, was a misapprehension of the object and scope of the Bill. It was intended that the Secretary of State should fix the period during which tolls should be collected, after a full investigation of the circumstances in each case. By this investigation he would be guided as to the time which he should fix for the duration of the tolls; and in the great majority of cases the market value of the debt would be paid off before the limit fixed beyond which toll collection might not be extended—namely, 1878. In all cases the debt would cease simultaneously with the collection of tolls. With regard to the observations of the hon. Member for Peterborough (Mr. Whalley), whilst tendering his thanks to hon. Gentlemen generally for the manner in which they had received his Bill, he felt bound to express his acknowledgments especially to that hon. Gentleman, who had himself introduced more than one Bill upon the same subject and had some claim to deal with it, having conferred good service by calling public attention to the question. He had, however, forborne to press any such claim, or to propose a rival scheme, and agreeing in the main principle of his (Mr. Knatchbull-Hugessen's) Bill, had given it a cordial and hearty support. The hon. Member for Worcestershire (Mr. Knight) had complained of the grievous burden which would be inflicted upon parishes not forming part of a highway district. But he (Mr. Knatchbull-Hugessen) would beg to remind the hon. Gentleman that this burden was now inflicted upon the abolition of a trust, and that such abolition practically depended upon the arbitrary will of the Home Secretary, because although the approval of Parliament was formally required, yet the Turnpike Continuance Bills which dealt with this matter were of necessity introduced so late in the Session, that Government had practically always a majority, and an attempt to continue or discontinue any particular trust when the opinion of the locality had been opposed to the decision of the Secretary of State, was almost hopeless. So much was this felt to be the case that he (Mr. Knatchbull-Hugessen) had only that very morning received a request that he would move to refer to a Select Committee the Turnpike Continuance Bill of the present Session, wherein it was believed the present Home Secretary had, to a considerable extent, reversed the decisions of his predecessor. He (Mr. Knatchbull-Hugessen) was most unwilling to do anything of the kind which might be hostile to the right hon. Gentleman; but he mentioned the fact to show the complaints which existed. It was clear that the "grievous burden" upon parishes existed now. The Bill would not alter their common law liability, but it would deal more fairly and more equally with them than was at present the case. Then the right hon. Gentleman the Member for Oxfordshire said that this Bill would adopt a new principle in referring a large debt to the arbitrary decision of the Secretary of State. Again, he must remind the House that this was precisely the case under the present law upon the termination of a trust, and the only object of the Bill in this respect was to expedite and equalize the action of the Secretary of State, who now had the power to extinguish debt and reduce interest, but who would be obliged to act in certain cases instead of continuing Trust Acts annually and only abolishing them at his discretion. The right hon. Gentleman had also doubted the possibility of making one general law upon the subject. He (Mr. Knatchbull-Hugessen) had by no means shut his eyes to the complications and difficulties of the subject. They would, however, be lessened by the adoption of the measure before the House, and the state of things be rendered less unequal than under the existing system. He (Mr. Knatchbull-Hugessen) entirely agreed with the views of the hon. Baronet opposite (Sir Michael Hicks-Beach), that the true solution of the question was the universal adoption of the Highway Act, and the placing all roads, turnpike and highway, upon the common fund of the highway districts. But in all legislation it was necessary not to ask always for the whole extent of your requirements if you found you could better obtain what you wanted by degrees. He must notice one omission in the speech of the Home Secretary, who, he had hoped, would have followed up his suggestion upon the introduction of the Bill, by announcing an Instruction to the Committee that they should have power to deal with the Highway Act, so as to make its adoption compulsory if they should think fit. He (Mr. Knatchbull-Hugessen) should be ready to move such an Instruction himself, if he had any indication of the opinion of the

House being favourable to such a course. With respect to the suggestion of the Home Secretary that evidence should be taken before the Select Committee, he could, of course, only yield a ready assent to such a wish expressed by a Gentleman in the position of the Home Secretary. He hoped, however, that the right hon. Gentleman would agree with him that it would be inexpedient to re-open the whole question of the toll system, upon which there already existed for reference a mass of evidence taken before the two Select Committees which had previously sat upon the subject, but that the evidence taken should be restricted to particular points connected with the working of the proposed measure. In this view, and with the understanding, clear and certain, that the principle of the desirability of abolishing turnpike tolls was admitted by the House and by the Government, he would go into the Select Committee prepared to receive every suggestion for amendment in the most conciliatory spirit, and with the sole desire that the Bill might come forth from the labours of the Committee in a form which might offer to the House and to the country a satisfactory settlement of the question.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

And, on May 6, Select Committee *nominated* as follows: — Mr. SCLATER-BOOTH, Mr. KNATCHBULL-HUGESSEN, Mr. ALGERNON EGERTON, Mr. GEORGE CLIVE, Mr. WELBY, Mr. HASTINGS RUSSELL, Sir MICHAEL HICKS-BEACH, Colonel FRENCH, Mr. KNIGHT, Sir ROBERT ANSTRUTHER, Mr. READ, Mr. GOLDNEY, Colonel WILLIAM STUART, Mr. WHALLEY, Mr. WOODD, Lord HENLEY, Mr. MITFORD, Mr. HOLLAND, and Mr. JASPER MORE: —Power to send for persons, papers, and records; Five to be the quorum.

PUBLIC HOUSES, &c., REGULATION BILL.

(*Mr. Graves, Mr. Horsfall, Mr. Hibbert.*)

[BILL 83.] SECOND READING.

Order for Second Reading read.

MR. GRAVES said, that in rising to move that the Order of the Day for the second reading of this Bill be read and discharged, he wished to offer a few remarks to the House to explain his reasons for taking that course. When he gave notice of his intention to introduce the Bill, Mr. Speaker expressed some doubts as to the propriety of a private Member introducing a measure affecting the revenue of the country. By a technical alteration of the Notice of Motion and by the permission of the Government he was allowed to bring in his Bill, in order that the subject might be ventilated. Within the last few days it had been intimated to him that Her Majesty's Government considered it would be their duty to oppose the further progress of the Bill, as it proposed to deal largely with the taxation of the country, and in consequence the promoters of the Bill had no alternative but to defer to the wish of the Government and ask the permission of the House to withdraw the Bill. The Bill, whatever might be its merits or its demerits, was at least a well-meant effort to deal honestly with the question. It was now unnecessary for him to detain the House in adverting to the principles of the Bill, which were intended to deal in a just and comprehensive manner with the question. The present unsatisfactory state of the law was thoroughly and fully admitted. Nothing more was wanted to make that conviction clear than to refer to the petition which he had just presented, signed by 82,000 of the inhabitants of one town (Liverpool). It was true the immediate purpose of this monster petition was not gained; but the trouble would not be thrown away, for its moral weight remained, and such an expression of public opinion could scarcely fail to strengthen, if not hasten, legislation upon the subject. The difficulty that existed in dealing with this question by a private Member, and the experience he had gained with regard to the conduct of such a measure through the House, had led him to the conclusion that in a matter affecting so largely the well-being of the community as well as the large interests that were engaged in the trade, the only chance of successful legislation was by its being dealt with by the Government. He was therefore happy in being able to state that the right hon. Gentleman (Mr. Walpole) had adopted that view of the question, and had given him the assurance that he would endeavour to deal with the subject by the introduction of a measure next Session. He received that assurance with the greatest satisfaction; and he would in consequence leave the matter in the hands of the Government, with perfect confidence that they would take it up and grapple with it in a most efficient and satisfactory manner. He regretted the right hon. Gentleman was not then in his place, because it was his intention to have asked the right hon. Gentleman whether he had rightly conveyed the intentions of Her Majesty's Government on the subject to the House. He believed he had done so, and he might add that that determination of Her Majesty's Government had greatly aided him in coming to the conclusion that it would be better to withdraw the Bill.

Moved, "That the Order for the second reading of the Bill be withdrawn and discharged."—(*Mr. Graves.*)

Mr. A. SMITH said, he considered the hon. Gentleman had acted very wisely in withdrawing the Bill under the assurance that Her Majesty's Government would take up the subject next Session. It was the only course likely to be conducive of a satisfactory settlement of the great and important question of licensing. He certainly regretted the Home Secretary was not in his place to confirm the statement made by the hon. Gentleman (Mr. Graves). At the same time he (Mr. Smith) had no doubt of its accuracy, and that the Government would give its attention to this important subject. The settlement of the question was one of the greatest importance to the social and religious interests of the country. He believed that no question was in a more unsatisfactory state at present than the licensing system. He congratulated the country on the fact that it would receive the early attention of the Government with a view to its improvement.

Mr. W. E. FORSTER said, he regretted the accidental circumstances which had prevented the Home Secretary from being in his place. He hoped some hon. Member, or his hon. Friend (Mr. Graves), would ask a question of the Home Secretary respecting his intentions, so that they should hear from the Treasury Bench the course which the Government exactly intended to pursue. He had no doubt that his hon. Friend was right in his impressions, and that the right hon. Gentleman had made up his mind to bring forward a measure next Session to settle the licensing question; but it was not unreasonable that they should wish to have the statement confirmed from the Treasury Bench, considering the great importance of the subject. The position in which the House of Commons stood in regard to the licensing question was not satisfactory. It was acknowledged by men of all parties, and by Governments of all parties, that the licensing system was the cause of much evil; yet there seemed to be a reluctance to settle—or a fear of attempting to settle—the question. He did not think that that tended to the honour either of the House of Commons or of the Government. He did not intend to question the policy of the hon. Gentleman in not pressing the Bill, though he thought it would be desirable to have a discussion upon it. There was much in the Bill of which he (Mr. W. E. Forster) did not approve, but there was one great principle in it—namely, that all houses for the sale of intoxicating liquors should be put under one licensing power—that of the magistrates.

Mr. STEPHEN CAVE was anxious to explain, after what had passed, that the right hon. Gentleman the Secretary for the Home Department had been summoned to the Cabinet, and that his absence did not arise from a desire to avoid answering any question, or from a failure to recognise the importance of the Bill introduced by the hon. Member for Liverpool. No man entertained a deeper sense of the importance of this subject than his right hon. Friend, and he had already promised to give it his most careful consideration. He (Mr. Cave) thought the hon. Member had exercised a wise discretion in taking the course he had done. It would not, of course, be proper for him to enter further into the question. There were some parts of the Bill to which he might take exception; but he concurred with the hon. Member for Bradford (Mr. W. E. Forster) in approving of that provision which placed the whole licensing system under one control—namely, that of the justices.

Mr. HADFIELD said, he concurred in opinion that it would be highly satisfactory to the public to have an assurance from the Home Secretary that Her Majesty's Government would introduce a measure upon this subject next Session. There was a desire throughout the country that it should be settled as speedily as possible. It was admitted by all that there was an evil which required a remedy.

Mr. HORSFALL said, he fully agreed in the propriety of the course which his hon. Friend (Mr. Graves) had adopted. He was himself satisfied with the statement which had been made by his hon. Colleague, and those who wished to have it confirmed by the Home Secretary were the best persons to put the question to him. It was on that assurance, in which he placed implicit faith, that he concurred with his hon. Colleague in the propriety of withdrawing the Bill. After the many unsuccessful attempts to legislate locally upon the question, he was much gratified to find that Her Majesty's Government intended to deal with it. He was convinced that no measure could be carried through the House and meet the approval of the country, unless introduced on the responsibility of the Government. He had some personal experience on this subject, for in 1863 he had, in conjunction with his late Colleague, introduced a measure which it was intended to confine to Liverpool. It was then urged against the Bill that it attempted to deal locally with what was in reality a national question, and it was thrown out by 16 votes. Tempted by the smallness of the majority, the Bill was subsequently re-introduced, but so decided was the expression of opinion in the House that it was withdrawn, without taking a division upon it. The right hon. Gentleman the Home Secretary was the proper authority to bring in a Bill upon this subject, and so strong was the feeling of the country in reference to the question that the right hon. Gentleman would, he believed, find no difficulty in passing his measure.

Motion *agreed to.*

Order for Second Reading read, and *discharged:* Bill *withdrawn.*

PROMISSORY NOTES (IRELAND) BILL.

(*Mr. M'Kenna, Mr. Brady.*)

[BILL 90.] SECOND READING.

Order for Second Reading read.

MR. M'KENNA, in moving the second reading of this Bill, said, it was intended to amend the Act 9 *Geo.* IV. c. 81, and to authorize banks of issue in Ireland to make their notes payable only at the places in Ireland at which the account of gold and silver coin held by such bankers is taken by the Commissioners of Stamps and Taxes, whenever such notes are in excess of the average amount of circulation during the year preceding May 1, 1845, and are issuable only against gold or silver coin of an equal amount deposited at such places. In doing so he said—I deem it right at this stage to explain to the House that the Bill which I ask the House to read a second time is not identical in any respect with the measure introduced by my hon. Friend the Member for Clare last Session, although if it passes into law it will effect much of the good which my hon. Friend proposed to effect by his Bill. As all measures proposing to deal with or affect the currency laws in any portion of the United Kingdom are naturally and properly regarded with a very jealous eye, it is right that I should at the outset inform the House that this Bill is in perfect harmony with the principles which are the basis of our present currency laws. In fact, I only seek for a modification of the technical portions of the existing laws, or if I may be allowed to use the figure, I only seek to adjust and simplify the machinery. But, Sir, it may be asked if the scope of this Bill be so simple, why should the House deal with it as a separate and distinct piece of legislation? and why should we not allow mere technical obstructions which have existed so long to continue somewhat longer, until the amendment is carried out as a portion of a general adjustment? Sir, I anticipate these objections at once by saying that the subject is important, and pressed for early rectification, and the Bill I ask the House to pass will not complicate, but, if passed, will materially simplify the existing law. As I have said that the subject is urgent, it is right that I should exemplify and prove the grievance I seek to redress. Another reason, however, which strongly presses on my mind the absolute necessity of altering and amending the law is the fact that it is habitually violated. The Bank of Ireland have offices open on special days in the week at Arklow, Bagnalstown, Cahir, Castlebar, and Monastereven, and at each of these places, on at least one day in the week, this law is openly violated. The penalties which the Bank of Ireland incur by doing business at these places, and issuing their notes there, none of them being payable at any of these places, is of an amount I am afraid to compute. Now I want to alter the law, and submit 9 *Geo.* IV. to a Committee of this House, which can very easily provide to relax the law so as to legalize the transactions of the Bank of Ireland at these places. If this be not done, then I say let the law be enforced; but, at any rate, let not this House sanction the principle that a law is to remain on the statute books to be a public obstacle to business to all who are prepared to obey the law, and an open scandal, because it is habitually violated with impunity. I believe if the law respecting bank notes were altered according to the principle of this Bill, the Irish community would enjoy the benefit of banking facilities for one or two days in the week in about 150 towns now wholly without such accommodation. I will not weary the House with a list of the towns; but in the letter A of the post towns alone you will find such towns as Abbeyfeale, Adare, Ahascragh, Ardrahan, Arklow, Ashford, Askeaton, Athboy, Athenry, and Aughrim, in every one of which an office might be profitably open if for only one or two days in the week. I will not needlessly occupy time by going through forms of argument to establish principles which the House already recognises. I will save time by saying that I assume it is the desire of the House to afford to Irish industry and enterprize, as also to Irish capital, all the facilities for development and exercise in Ireland which the law can properly concede. I will not trespass upon the indulgence of the House, arguing that the House should so desire, but I assume that the desire exists, and on it I base my hopes that the facts I propose to adduce will be deemed sufficient to induce the House to sanction the present Bill. The fact which I will prove is, that under the present laws affecting the issue of bank notes in Ireland it is more profitable for the majority of Irish issuing bankers to engage their surplus capital out of Ireland than within it. For instance, it is the fact that for five of the six issuing banks in Ireland under the present laws it would be more profitable for them to employ their money in English or foreign securities at a rate of 5 per cent per annum, than to advance to Irish traders on equally good security at 6 per cent. I will explain how this is the case. By the 8 & 9 *Vict.* c. 37 (Sir Robert Peel's Irish Banking Act, which I do not propose in the least degree to disturb) the amount of notes which an issuing banker in Ireland can maintain in circulation (except notes issued against specie at depôts) is limited to the average amount of his circulation for the year preceding May 1, 1845. The banker, however, by another Act of Parliament, being subject to the payment of a circulation duty equal to 7*s.* per cent per annum on the total of his notes in circulation, actually pays a duty on the notes which he is obliged to equipoise pound for pound with gold or silver coin at depôts. This is not all, however, nor is it the grievance which this Bill proposes to deal with. By the Act of 9 *Geo.* IV. c. 81, which I seek to amend, the Irish banker is compelled to make his notes payable at the place where issued. So it comes to pass, by the action of three Acts of Parliament, that the Irish banker who exceeds the amount of his certified circulation has not only to lodge an equivalent amount of specie at depôts, but has to pay a composition duty of 7*s.* per cent per annum on notes actually represented by gold or silver coin; and not only this, but as he is limited to four depôts, and as he must make his notes payable at the places where issued, whether depôts or not, he is in practice and by law compelled to keep more than 25*s.* in coin for every pound his circulation extends beyond the average of the year ending 1st May, 1845. Now, all who understand the habits of the Irish trading classes, high and low, are aware that save and except in times of panic they all use notes in preference to gold; but the banker in Ireland who has surplus capital to employ knows very well that the cost of maintaining a note circulation in excess of his average of 1845 renders it more profitable to him to employ his money elsewhere than in Ireland; hence it is that there are at least 200 towns in Ireland wholly without banking facilities, a privation which in Scotland could not occur to towns and districts of like capabilities. The present Bill is very simple, and confined to one object. It is to enable a banker, whenever he issues notes against coin at depôts, to issue his notes payable only at such depôts. It does not propose to make his notes a legal tender, or to oblige people to take them, if they do not like to do so, in payment of any claim on the banker. The question is not one chiefly in the interests of Irish bankers, and particularly it is not so in connection with the bank interests with which I am myself identified. It is a measure in the interests of Irish trade and manufacture. Wherever a well-managed bank is established an impetus is given to industry such as no other agency can supply. I am desirous that mere technical difficulties should be removed, and in the present instance I only seek to remove a restriction which is in no sense protective of the public, but which is injurious and anomalous. An hon. Member with whom I lately conversed on the subject of this Motion suggested that I should reduce to a formula the proposition with which I startled him — namely, that the security being equal, it was more profitable to an Irish issuing banker, having say £100,000, for example, available for investment, to advance the same at 5 per cent per annum in England, rather than to retain and employ the same money in his ordinary way of business in advances to Irish traders. That proposition I establish in this way —£100,000 advanced in England at 5 per cent per annum produces in one year £5,000. The Irish issuing banker, who, being in excess of his certified circulation, and who is consequently issuing his notes against gold at depôts, electing to employ £100,000 in Ireland, finds by experience that this money must be advanced at various places, and in the form of bank notes. Save, however, for purpose of convenience to his customers, it is in effect the same to the banker as if his advances were made at once in coin; for Sir Robert Peel's Act, which I do not seek to affect in any way whatever, renders it imperative on him to counterpoise pound for pound the whole amount of his excess circulation by the deposit of coin at one, two, three, or four depôts. In this condition of affairs the 9 *Geo.* IV. c. 81, which this Bill proposes to amend, operates most prejudicially, for that Act makes it imperative on the banker to make his notes payable wherever they are issued, and as this issue will rarely be at his depôts, he is in practice compelled to distribute some £20,000 coin to meet these notes where they are made payable. This will leave him only £80,000 to deposit at depôts, and hence he is only able to utilize at interest about four-fifths of the sum he has elected to retain for employment in Ireland. The return of interest on £80,000 at 6 per cent per annum will be only £4,800, against £5,000 earned by employment of the whole sum at 5 per cent in English or foreign securities. But this is not the sole deduction to which the Irish issuing banker has to submit. He has to pay 7*s.* per cent composition duty on the circulation of £80,000 in notes, although these notes are represented by an equivalent amount of coin at depôts. The deduction under this head from Irish profits is £280, so that an Irish issuing banker, under the circumstances I have shown, has practically a premium of £480 in employing £100,000 at 5 per cent in England or abroad, over employing it as he best can on equally good security at 6 per cent in Ireland.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. M'Kenna.*)

Colonel FRENCH said, he believed that it was not desirable to assimilate the Irish system of banking to the Scotch, and that the effect of the measure would be to diminish public confidence in the Irish banks. This was a serious and important question, and ought not to be brought forward by a private Member in a thin House. He moved, as an Amendment, that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Colonel French.*)

Mr. POLLARD-URQUHART said, the Bill did not propose to extend the present excess of issue over gold; it was simply intended to promote the convenience of the public, by affording increased banking facilities, and it certainly did not contravene the principle of the Acts of 1844 and 1845, otherwise he (Mr. Pollard-Urquhart) would not give it his support. He believed the effect of the Bill would be to afford largely-increased facilities to farmers, tradesmen, and others in the outlying towns of Ireland for making deposits which they could not make in the Post Office savings banks, and which there were at present no other banks to receive. He trusted that the House would give a favourable reception to the Bill.

Mr. GOSCHEN said, if he thought the Bill would tend to increase the prosperity of trade and commerce in Ireland, he should be glad to give it his support, and he believed the Irish Members would admit that there was every disposition in the House, under the exceptional circumstances in which Ireland was at present placed, not to be bound too strictly by the rules of political economy, but to go as far as possible in introducing any changes that might be beneficial to the people of that country. But he doubted whether the hon. Member had made out his case in that respect. The hon. Member who had just spoken had stated that increased banking facilities would be a great advantage to Ireland; but the hon. Member for

Youghal had said he did not wish to increase the number of issuing banks in Ireland.

Mr. M'KENNA said, he did not quite say that. He did not wish to express any opinion in contravention to the policy of Sir Robert Peel's Act; but he had no objection, if the House thought fit, to see the number of issuing banks multiplied.

Mr. GOSCHEN understood the hon. Member to support the principle of Sir Robert Peel's Act limiting the number of issuing banks. There were six issuing, which at present had a monopoly in Ireland, and the proposal now was that that monopoly should be improved and made more valuable to the country. But the question was, was the House and the country generally satisfied with the present state of the private issues? If there were any idea that the private issues were not on a satisfactory footing, would it be wise on the part of the House to improve the position of the private bankers in Ireland, and make it more difficult to deal with them if at any time it should seem right to the House to adopt one general system of circulation for the United Kingdom? The present question might be considered from three points of view. There was first the question respecting the issuing banks; secondly, the question of how the measure would affect the public; and next, the question of how it would bear upon the currency generally. He confessed he was unable to understand the hon. Gentleman's argument that unless further privileges of issue were conceded Irish bankers would invest their money in England rather than in Ireland. How did the hon. Gentleman propose that the bankers should invest the money? Was it in the funds? The funds were in Ireland as well as in England. Was it in bills? There were bills in Ireland as well as in England. Was it in mortgages? There were mortgages in Ireland as well as in England. As to the issuing of notes, the law in Ireland was more assimilated to the law of England than it was to the law of Scotland. As to the interests of the Irish public, they had more security for the convertibility of the notes under the existing law than they would under that which the hon. Member proposed to substitute for it, because the fact that the notes were payable in the various branches of a bank obliged the banker to keep more gold than he would be obliged to do if they were payable only at certain depôts. It seemed to him that to do what was proposed would not be in accordance with the principle upon which Parliament had hitherto acted in carrying out the policy of Sir Robert Peel, which was not to encourage private issues, but to discourage them. Nor could he help thinking that the proposal of the hon. Member was to reverse the tendency of the legislation of the House with regard to currency generally. He trusted that the House would negative the second reading, because he felt confident that it was not for the convenience of the general public in Ireland, and because it ran counter to the general legislation which that House had followed with regard to currency. If they desired to develop still further the system of private issues, they should be quite consistent in voting for the Bill; but if, on the contrary, they thought the whole system was not on a satisfactory footing, then they ought not to do that which he could not help calling an improvement of the monopoly now enjoyed by a certain number of banks in Ireland.

Sir JOHN GRAY felt some difficulty in dissenting from the opinions expressed by so high an authority on monetary affairs as the right hon. Gentleman who last addressed the House. With all due deference to the right hon. Gentleman, he (Sir John Gray) ventured to express the opinion that this was not a Bill, as was incorrectly represented, to increase the banking monopoly of the existing banks of issue, but had as its object the removal of obstacles that prevented their being able to extend proper banking accommodation to the inhabitants of the smaller towns in Ireland and the districts around them. It was in fact not a banking question in that sense, but a commercial question—it was not an effort to prop up or to extend the credit or resources of banks, but to extend credit and the ordinary banking facilities to districts now denied these advantages because of the operations of a special Act. He regretted that the right hon. Gentleman thought it right to enforce his peculiar views by stating that the Bill before the House was an attempt to disturb the Acts which regulate the present currency and to alter the present basis—the metallic basis which regulates the commercial currency of these kingdoms. The arrangements as to branch banks which prevail in Scotland are not at variance with the metallic basis, and all that is aimed at by the Bill of the

Member for Youghal is to assimilate the laws which regulate branch banks in Ireland to those which regulate them in Scotland, and the operation of which has done so much for the development of the trade, the commerce, the manufactures, and the agriculture of Scotland. The hon. Member for Westmeath, who is conversant with the system in both countries, has given the House his experience of the benefits which extended banking facilities conferred on the people of Scotland. There every town and every village has its branch bank, and every trader and almost every farmer has his cheque book. The right hon. Gentleman the Member for Roscommon (Colonel French) said the object was to obviate the necessity for having a pound in gold deposited in the bank cellars for every note of surplus circulation issued, and that this, if effected, would diminish the security given to the public for the conversion of the note. [Colonel FRENCH: Hear, hear!] This was altogether a mistake on the part of his right hon. Friend. If the Member for Youghal was clear on any one point it was on this—that the metallic basis of the circulation, the security in deposited gold, would still be pound for pound for the amount of the issue. For every surplus pound issued by the banks of issue as promissory notes, they are compelled by statute to have a pound in gold or silver in the bank till at one of their central depôts. That pound in specie, be it gold or be it silver, is the security to the public who accept the notes so issued. Does the right hon. Gentleman want more than a pound in specie for every pound note issued? ["No, no!"] Well, then, that pound security—that pound in gold—must, under this Bill, be still deposited in the bank till; but the law as it now stands requires that if a branch bank issue a note for one pound, that promissory note must be made payable at the place of issue, and not, as in Scotland, at one of the four depôts, thus in effect requiring that the Irish banks of issue should have one pound in gold in the central or provincial depôt and another at the branch bank from which it was issued to meet the demand for conversion should it arise. The Irish banks of issue did not fear such demand; but they know that many small towns which required banking accommodation on one or two market days in each week would not bear the expense of having a bank staff maintained for the other four or five days, and if notes were by statute made payable in the place of issue or of re-issue the bank must of necessity be open each day of the six and maintain the staff at a loss. Now, what was the result of the two systems? In Scotland, with a population of 3,000,000, there were more than 550 branch banks. In Ireland, with nearly 6,000,000 population, there were 191 branch banks. Scotland with great banking facilities grew rich, prosperous, contented—Ireland was the opposite of all this. Another great fallacy was dwelt on by a right hon. Member, and prevailed largely outside this House. It was said that the £15,000,000 of money belonging to the farming classes and small traders deposited in the Irish banks was inactive and dormant. This was a great fallacy. The money was not dormant—the banks would all become bankrupt if they kept their deposits idle. If one trader deposited money, say £500, in bank at one hour of the day, another trader, who got his Bill discounted and placed to his credit in the morning, drew out the other man's deposit in the course of the day. The money was always kept active, and the effect of the present Bill would be to extend the circles in which that deposited money would be active to the smaller towns which had not now banking accommodation. The moral effect would hardly be less beneficial than the financial. Men would, by reason of opening accounts with banks, become more systematic in their business—more accurate in their trade accounts—more sharp—more enterprizing; and trade would be extended and improved, and new industries introduced in districts where none now existed. He hoped, therefore, that the House would allow the Member for Youghal to read his Bill a second time.

GENERAL DUNNE said, the Bill would produce much the same effect as the measure proposed last year by the hon. and learned Member for Clare. The present proposal was regarded in Ireland with suspicion, and he should like to have a more satisfactory explanation of its provisions than had yet been given. He did not think that it would give the people facilities for getting their money. He knew perfectly well that the people of Ireland would much rather go to an establishment within reach of their own homes than to a central depôt to exchange their notes.

Mr. SYNAN said, he thought there was very little weight to be attached to the complaint as far as the depositors were concerned that the deposits of the Irish banks were employed in England. Money, like everything else, would always seek the best market; and it mattered nothing to the depositors in what country their gold was employed, so that their interest was paid and their capital was safe; of course it mattered a great deal in a national sense, but that was a consideration which did not enter into the present debate. What had been said respecting the public convenience really told in favour of the Bill, for it would be better to have a bank branch that had the power to issue notes than not to have a branch at all. Nor was it any valid objection to the Bill that the question dealt with was an Imperial one, and ought only to be dealt with in an Imperial manner, for until it was so dealt with there could be no objection to applying a remedy to a particular evil. The right hon. Gentleman (Mr. Goschen), when he urged that the effect of the Bill must be to strengthen the so-called monopoly of the Irish bankers, fell into an error, inasmuch as whatever monopoly now existed and would continue to exist after this Act was created by the Act of 1844, and if the effect of such a monopoly was to give Bank accommodation to localities which were now without it, the argument was one in favour of the Bill and not against it. Admitting the existence of the suspicion referred to by the last speaker, the Bill, far from being contrary to the Currency Acts, would assimilate the currency law in Ireland to that which obtained in England, inasmuch as it gave the option to the banker to make the notes payable either at the branch of issue or at the head branch of the bank. He should vote for the second reading because its object was to give to the people of Ireland facilities which they did not at present possess.

Sir FREDERICK HEYGATE said, it appeared to him that the proposal was a very safe one, and he could see no reason why an additional penalty should be incurred by a bank when it opened branch establishments. If any small advantage could be given Ireland with perfect security, it ought to be given. He could not understand why there should be any difference in the banking system of Scotland and that of Ireland. What was found to work well for the former country could hardly be disadvantageous to the latter. The proposal did not enable the bankers to diminish their stock of bullion, and it would add greatly to the convenience of the public. The banking system of Ireland contrasted favourably with that of England, and the only fault he had to complain of was that the Irish banks were too fond of sending their money over to this country.

Mr. THOMSON HANKEY said, the whole of the argument of the hon. Member (Mr. M'Kenna) was based on the fallacious assumption that the larger the number of bank notes in circulation was, the better for trade and for the country in which the notes were circulated. That, however, was not the principle which had guided our legislation with regard to the issue of bank notes. The principle of Sir Robert Peel was to place stringent restrictions on all issuing banks, with the view of eventually extinguishing the whole of the private circulation, and of limiting the power of issuing notes to the State alone. It should be remembered that the issuing of notes was not necessarily a part of banking, and there was, in fact, no reason why banks should not be established in every town in Ireland. He hoped the Government would not support the present attempt at a retrograde policy and to deal in a small way with a subject so important.

Mr. PIM observed, that nothing had been said to show that the passing of the Bill into law would not be beneficial to Ireland. As for a general measure, it would be idle to wait for that, as it had been promised every year since that which succeeded the passing of Sir Robert Peel's Act. He did not think there could be any difficulty in getting notes changed for gold in any town in Ireland, if branches were established which issued their own notes. As for the argument that Bank of Ireland notes could be issued at the branches of other banks, surely it could not be contended that one bank was to assist in circulating the paper of a rival establishment. It seemed to him that to give the facilities proposed under the Bill would be to confer an advantage on the country. In Ireland they were constantly taunted with not taking example by Scotland, but now when Irishmen desired to follow it in the matter of banking, they were met by a violent opposition.

Mr. Alderman SALOMONS said, that there were in Ireland two classes of banks, those that had a restricted issue and those that could not issue. It seemed unfair to give those that could issue notes an additional privilege. The House ought to hesitate before sanctioning, more especially in Ireland, an inconvertible currency. If a note could not be presented at any issue bank, it was not convertible, and the principle was one it would be most dangerous to introduce. The existing law ought not to be altered unless a very strong case could be made out, and nothing of the kind had been done. It would be as injurious in Ireland as in England to sanction the issue of notes without a sufficient metallic reserve. It was not expedient to disturb the system established by the Act of 1844.

MR. STEPHEN CAVE said, this was, no doubt, a much more simple and less objectionable proposition than that of which it formed a part when introduced by the hon. Baronet (Sir Colman O'Loghlen) in 1865. The hon. Baronet proposed to make Bank of England notes a legal tender in Ireland, a measure which, had it passed, would have been productive of great inconvenience. He also included in his Bill the provisions now brought forward by the hon. Member (Mr. M'Kenna). The Bill of the hon. Baronet did not pass a second reading. The hon. Member who introduced this Bill told them that it assimilated the law of banks of issue in Ireland to that of Scotland. But their business was to deal with the case by itself, on its own merits, and to inquire whether any advantage was likely to accrue to the public from such a change in the law. What was the law at present in force in Ireland? It was, as the hon. Member had stated, very different from the English law. Banks of issue in England other than the Bank of England were precluded from exceeding their fixed authorized issue under any circumstances. But the banks of Ireland were allowed to issue as much in excess of the issue fixed on the 1st of May, 1845, on a year's average, as they pleased, provided they had an equivalent amount of bullion in certain depôts or head offices to cover the excess. The bullion must be in the depôts, otherwise the Stamp Office would not take cognizance of it. Therefore, an additional amount must be kept at the branches to meet the notes issued at and payable at those branches, which, no doubt, materially reduced the profit of issue. The hon. Member asked that this necessity of keeping gold at the branches should be obviated by making notes issued at the branches payable only at one of the depôts in which the gold was by law deposited. He (Mr. Cave) would pass by the argument often used, that this bullion was a mere colourable security for the issue, and ought really to be there under any circumstances, as a guarantee for the deposits of the bank. Taking the law as it stood, he would simply ask whether or not inconvenience might arise from the adoption of the proposals of the hon. Member. The inconvenience, no doubt, would be less than that caused by the proposal of 1865, inasmuch as the distance from the place at which the note was convertible would be less, and the notes, not being a legal tender, might be refused. But the latter circumstance would not prevent their frequently falling into the hands of people to whom it would be highly inconvenient not to get change at once. If the hon. Member said, as the hon. Member for Dublin had said, that for the credit of the bank, and to prevent the notes being refused by the public, they would always be paid on demand, then of what use was it to disturb the law? But he apprehended that in the case of bank notes this power of refusal on the part of the public was somewhat unreal. Few noteholders were direct creditors of the bank. They had received their notes from third parties, and in many cases were glad to take them rather than not get paid at all. Notes passed as money by custom from hand to hand, even though they were not legal tenders, and great inconvenience and hardship might result from the proposal made being adopted. In the event of a panic, and a run, the noteholder at a branch would be placed at great disadvantage, as compared with the noteholder at a depôt. The latter might get paid; but before the former could present his notes the doors might be shut. Again, noteholders in existing branches would find their position altered for the worse, as the right of payment which they now enjoyed would be taken away for the sake of establishing branches in places with which they had no concern. Were it not for the increased risk of robbery and other obvious considerations, he would recommend the converse of the hon. Member's proposal—namely, that they should enact that the Stamp Office should take cognizance of the bullion in the branches as well as in the depôts. In France each branch was obliged to give coin for notes issued at it, and this regulation had been strenuously guarded. On general grounds it seemed to him scarcely advisable that the currency laws should be tampered with by private Members, in order to remedy special and partial inconvenience, especially when the change proposed tended to the reduction of the capital of banks. The Bank of Ireland opposed this measure, which showed that a difference of opinion existed in Ireland on this point. The Bank of Ireland made every note payable at each depôt, and at nearly all its branches —[Mr. M'Kenna said, there were seven exceptions]—a course which rendered necessary a larger stock of bullion, while the present Bill tended to a reduction of the stock. Into the charges made against that bank it would be impossible for him to enter; if it had acted illegally, it was amenable to the law. The right hon. Member for South Lancashire (Mr. Gladstone) — a great authority on such matters—said, in 1865, that there were various points connected with the currency of Ireland deserving attention, so that a more comprehensive measure would be necessary if they dealt with the subject at all. Without imputing the least unfairness to the hon. Member's proposal, he thought, on the whole, that the House should hesitate before adopting it in its present shape.

Mr. Alderman LUSK said, he hoped the House would hesitate to tamper with the currency. This was nothing but a bankers' question. It was the duty of the House to take care that notes should not be issued unless sovereigns could be obtained for them when they were demanded. The object was to enable men to carry on the business of banking without capital. It was not at all desirable to give legislative facilities for anything of the kind.

Mr. M'KENNA said, he did not propose to deviate from the principle of Sir Robert Peel's Bank Act. He did not wish to make invidious complaints against particular banks in Ireland; but, under pressure, having two courses before them, loss or violation of the law, they had adopted the latter alternative. If the law remained unaltered he hoped the Attorney General would take cognizance of this.

Mr. MURPHY said, he did not think that the monopoly which Sir Robert Peel's Act had conferred on the banks of issue in Ireland should be continued or increased by an Act of that House, as against private banking companies which were not banks of issue. If the Bill were read a second time it ought to be referred to a Select Committee to inquire whether or not, having regard to the powers proposed to be given, it would or would not militate unjustly against banks of non-issue. It was only upon the understanding that that course should be pursued that he could support the Motion.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 46; Noes 70: Majority 24.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

PIER AND HARBOUR ORDERS CONFIRMATION BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for confirming certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Balbriggan, Cleethorpes, Cromer, Dingwall, Girvan, Rothesay, Seaford, and Southport.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Dodson, Mr. Stephen Cave, and Mr. Hunt.

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, May 2, 1867.

MINUTES.]—Public Bills—*First Reading*—Fortifications (Provision for Expenses)* (84); Public Libraries (Scotland) Acts Amendment* (85).

THE DUCHY OF LUXEMBOURG.

QUESTION.

Earl RUSSELL: Seeing the noble Earl at the head of the Government in his place I wish to put a Question to him on a subject relating to foreign affairs. Since the House adjourned for the holydays great alarm has been excited both in this country and on the Continent of Europe on account of apprehensions of war between two powerful States, France and Prussia, with respect to the Duchy of Luxembourg. Subsequently the announcement has been made that a Conference has been proposed, and that the proposal has been accepted. I wish to know whether that announcement is correct, and whether the noble Earl feels it consistent with his duty to state anything further in relation to the matter?

THE EARL OF DERBY: The noble Earl has given me notice of the Question he has just put. In reply, I may say that my only difficulty is as to what may be the latest intelligence on the subject, because in these days of rapid telegraphic communication it is not easy to ascertain from hour to hour what is the precise state of the question. I hope, however, without entering into any details with regard to the causes which led to the anxiety prevailing in Europe to which the noble Earl has referred, I shall be able shortly to give him a clear, and I trust not unsatisfactory, statement with regard to the present position of affairs with regard to Luxembourg, and in reference, consequently, to the preservation of peace in Europe. I need not remind your Lordships, that in consequence of the anomalous position in which the Duchy of Luxembourg was placed subsequently to its separation from the German Confederation, to which it was formerly attached, it became a subject of great jealousy between France and Prussia, which led to a misunderstanding so serious that at one time it created great apprehension that it was hardly possible to ward off the impending calamity of a European war; or at least a contest between those two great countries. That prospect, my Lords, was viewed with universal apprehension, and it became the duty, as it was no doubt the interest, of all the neutral Powers of Europe to use their best endeavours for the purpose of averting so great a calamity. Austria, Russia, and Great Britain severally exercised their influence in favour of peace. I think it right to state, however, with regard to Her Majesty's Government, that we have confined our efforts to that object. We have on our part expressed no opinion with regard to the merits of the dispute, either on one side or the other; nor have we put forth any suggestions of our own with regard to the settlement of the question. Whilst this was going on the King of Holland, who is also Grand Duke of Luxembourg, thought it desirable to call the attention of the allied Powers to the very peculiar position in which that Duchy was placed, and its altered circumstances since its separation from the German Confederation, to which it was attached under the treaty of 1839. The King of Holland, therefore, acting in the capacity of Grand Duke, suggested to all the Powers the desirability of holding a Conference for the purpose of considering the present position of the Duchy. That proposition has been accepted by all the Powers; and in accordance with the general desire it has been fixed that that Conference shall take place at an early period, and that it shall take place in London. I am not prepared to say that any fixed and definite basis has been assigned as a necessary preliminary for holding that Conference; but from communications which have taken place between the various Powers, I entertain very little doubt that, if the neutral Powers are unanimous, as I trust they will be, in offering such a solution of the present difficulty as would not in the slightest degree interfere with or prejudice the military honour of either of the two countries concerned, and which would be at the same time in accordance with the wishes of the people of Luxembourg themselves—I have every reason to believe, and, indeed, have hardly any reason to doubt, that such a solution will be accepted both by France and Prussia, and that the danger of this European complication may be averted. It has been universally felt to be desirable, that no time should be lost in holding the Conference. Telegraphic communications are passing between the various Powers almost every hour; but in the meantime it is the general desire, and I trust it will be found practicable, that the Conference may not be deferred later than Tuesday next; that it may then meet in London; and that a very short time will serve to dissipate that anxiety which must be felt by all Europe as long as there is the slightest prospect of hostilities arising between two such great Powers as France and Prussia.

CASE OF THE "TORNADO."

POSTPONEMENT OF MOTION.

THE MARQUESS OF CLANRICARDE, who had given notice to call the attention of the House to the case of the *Tornado,* rose to postpone his Motion. The noble Marquess said, he was induced to do so from the fact that a further series of Papers relative to it had only that day been laid on the table, and their Lordships had not had time to make themselves acquainted with their contents. He felt assured Her Majesty's Government would exact that justice in reference to the *Tornado* which they had obtained from the Spanish Government in the case of the *Queen Victoria,* and that the noble Lord at the head of the Foreign Office would take care that the owners and crew of the former vessel had a fair trial.

House adjourned at half after
Five o'clock.

HOUSE OF COMMONS,

Thursday, May 2, 1867.

MINUTES.]—PUBLIC BILLS—*Resolution in Committee*—British Spirits.
Ordered—British Spirits.*
Second Reading—Corrupt Practices at Elections [119]; Public Health (Scotland) [89].
Referred to Select Committee—Factory Acts Extension * [62]; Hours of Labour Regulation * [63].
Committee—Representation of the People [79], Clause 3 [R.P.]; Local Government Supplemental * [121].
Report—Local Government Supplemental * [121].

INDIA—BANDA AND KIRWEE BOOTY.

QUESTION.

MR. DENMAN said, he would beg to ask the Secretary of State for India, What proportion of the Banda and Kirwee Booty has been distributed; if not the whole, what are the reasons of the delay, and when the unpaid claimants may expect payment? He also wished to put a similar Question with respect to the payment of the booty to the Central India Field Force.

SIR STAFFORD NORTHCOTE: The only answer, Sir, I can give to the question of the hon. and learned Gentleman is that at present no portion of the booty has as yet been distributed, but I believe that there is every reason to suppose that it will be distributed very speedily. It is impossible to distribute any portion of the booty until the names of all the claimants entitled to participate in it have been sent in. I have every reason to believe that the list will be speedily completed, when the distribution will take place as rapidly as possible. This answer is applicable also to the booty payable to the Central India Field Force.

The Marquess of Clanricarde

MIDDLESEX REGISTRATION.

QUESTION.

MR. CHILDERS said, he wished to ask Mr. Attorney General, Whether his attention has been drawn to the Returns of Sessions 1862 and 1867, relative to the Middlesex Registry Office, showing that the three sinecure Registrarships are now worth nearly £2,400 per annum each; whether he has observed that these officers perform their duty by deputy, although the 12th section of the Act of 7 *Anne,* c. 20, requires them to attend at their offices daily from 9 to 12 and from 2 to 5; whether he has observed that they levy a fee of 7*s.* for every memorial of 700 words, and 6*d.* for every additional 100 words, whereas the Act only authorizes about half that amount—namely, 1*s.* for 200 words, and 6*d.* for every additional 100 words, "and no more;" whether he will take proceedings to compel compliance with the Statute in these respects; and, whether Her Majesty's Government will introduce a Bill to prevent any new appointment being made to these offices on a vacancy taking place?

THE ATTORNEY GENERAL said, his attention had already been drawn to the subject to which the hon. Gentleman had referred, and it was accurate that the present income of each of those officials amounted to nearly £2,400 per annum. With reference to the second Question, he believed it was true that the duties were performed exclusively by deputy. It was, however, right to observe that the Act carefully provided for the appointment of deputies by these officials, and for the discharge of their duties either by the principals or by the deputies, and that subsequent legislation had confirmed that view of the case. In answer to the hon. Gentleman's third Question, he had to state that it was also accurate that the fees raised were considerably in excess of the particular fees authorized by the Act; but these excessive fees, although without any sufficient or legal warrant, had been levied ever since the year 1768. With reference to the remaining Questions of the hon. Member, he might say that the whole scheme of the Middlesex Registration required revision and amendment, and that, therefore, it would be unadvisable to legislate with regard to it in the piecemeal manner suggested by the hon. Gentleman. He proposed to introduce a measure dealing with the whole subject in the course of next Session. He had had the matter under consideration before the meeting of Parliament, but the state of public business had prevented him from introducing a Bill dealing with it this Session. Should any vacancies occur in the meantime they would probably be filled up; but the new appointments would no doubt be subject to future legislation.

Mr. CHILDERS said, that these appointments were in the hands of the Judges and not of the Government, and he wished to ask Mr. Attorney General whether he will take efficient steps to enforce the daily attendance of the gentlemen holding these appointments?

The ATTORNEY GENERAL said, that the Act provided for the discharge of the duties by the deputies. With the prospect of speedy legislation upon the subject, it would, he considered, be improper to attempt any interference at present.

Mr. CHILDERS said, he would call the attention of the House to the subject on a future day.

ARMY — COMMITTEE ON TRANSPORT. QUESTION.

Captain VIVIAN said, he would beg to ask the Secretary of State for War, Whether Lord Strathnairn has yet signed the Report of the Committee on Transport for the Army, over which he presided; and, if so, whether the Secretary of State for War will lay it upon the table of the House?

Sir JOHN PAKINGTON replied that he had received the Report, and would shortly lay it upon the table.

NAVY — CLAIM OF ASSISTANT-COMMISSARY-GENERAL SWAN.—QUESTION.

Mr. STACPOOLE said, he would beg to ask the First Lord of the Admiralty, If he will lay upon the table Copies of all Papers relative to the refusal of Assistant-Commissary-General Swan's claim to the allowance of £100 a year as Naval Agent at St. Helena, for the four years from June 1, 1855, to May 31, 1859, the said allowance having been enjoyed by his predecessors and successors?

Mr. CORRY said, he had no objection to produce the Papers if the hon. Gentleman would move for them.

IRELAND—RAILWAYS.—QUESTION.

Sir FREDERICK HEYGATE said, he wished to ask the Chief Secretary for Ireland, Whether he intends to bring in any measure this Session on the subject of Irish Railways?

Lord NAAS, in reply, said, he believed that the Report of the Royal Commission appointed to consider the question of the Irish Railways would be laid upon the table of the House in a few days, and therefore he should wish to postpone his answer to the hon. Gentleman's question for a short time.

METROPOLIS — THE CANNING STATUE. QUESTION.

Mr. GOLDSMID said, he wished to ask the First Commissioner of Works, What has become of the statue of Canning, which used to stand opposite to Palace Yard?

Lord JOHN MANNERS said, in reply, that, in consequence of the increased traffic in the immediate neighbourhood, it had been thought proper by his predecessor in office to give additional facilities for approaching the Houses of Parliament from Victoria Street. A plan was submitted to the House which adopted it, and the works had been proceeded with in consequence of that Vote. The works included the formation of a fresh road from Victoria Street, and an improved footpath which did not immediately join the roadway. At one end of the footpath it was proposed to place the statue of Mr. Canning, and at the other end the statue of Sir Robert Peel, executed by Baron Marochetti. The statue of Lord Palmerston would also be placed in the immediate neighbourhood of the Houses of Parliament, and in its new position the statue of Mr. Canning would, he believed, be placed to as much advantage as it ever had been.

THE LICENSING SYSTEM.—QUESTION.

Mr. W. E. FORSTER said, he would beg to ask the Secretary of State for the Home Department, What course he intends to take with regard to the Licensing of Houses for the Sale of Intoxicating Liquors?

Mr. WALPOLE said, in reply, that the Licensing Bill had been withdrawn because the Government could not, upon financial grounds, give their consent to the measure. His hon. Friend had asked him if he would undertake to deal with the subject. He replied that he had on several occasions expressed his opinion that the question ought, if dealt with at all, to be dealt with as a whole, and he promised to submit to his Colleagues during the recess a Bill which he believed would be likely to lead to a satisfactory result, a promise which he was fully prepared to perform.

REPRESENTATION OF THE PEOPLE—THE COMPOUND HOUSEHOLDER.

QUESTION.

Mr. W. E. FORSTER said, a doubt appeared to exist in the minds of some hon. Members as to whether the Proviso at the end of the 34th clause of the Representation of the People Bill would, or would not, place the new voter, who might be a compound-householder, in a position different from that in which the compound-householder was placed under the present system. He had no doubt himself as to what was intended; but he thought it unadvisable that they should enter upon the discussion without the point being made thoroughly clear. He would therefore beg to ask Mr. Chancellor of the Exchequer (1), Whether the Proviso at the end of the 34th Clause of the Representation of the People Bill—namely—

> "Provided that the rates to be paid by such occupier in order to entitle him to the franchise, shall be rates calculated on the full rateable value of the premises,"

has reference to the 3rd Section of the Compound Householders Act (14 & 15 *Vict.* c. 14), which enacts—

> "That in cases where by any composition with the landlord a less sum shall be payable than the full amount of rate which except for such composition would be due in respect of the same premises, the occupier claiming to be rated shall not be bound to pay or tender more than the amount then payable under such composition;"

(2) whether the new compound-householder whose vote depends on the occupation of a house rented under £10 will obtain the benefit of the above-mentioned 3rd Section of the Compound Householders Act; (3) and, whether it is the intention of the Government to subject the compound-householders under £10 to a disadvantage which does not apply to the compound-householders above £10, by putting them in a different position as regards getting on the register of voters?

The CHANCELLOR of the EXCHEQUER: Sir, with regard to the first inquiry of the hon. Gentleman it is not intended that the proviso at the end of the 34th clause should have any reference to the 3rd section of the Compound Householders Act, although I admit there is some ambiguity in the language. My attention has been called to this fact by an hon. Member of this House, a Gentleman of the long robe, and I will at the proper time propose an alteration which will, I think, remove that ambiguity. That answer, of course, involves a reply to the second inquiry of the hon. Gentleman. With regard to his third Question, I would say that the Government do not wish to connect the new franchises with those that at present exist. The franchises that at present exist, though in some cases analogous, contain restrictions which are not contemplated in the new franchises. I do not wish to place the compound-householders referred to under the provisions of the 14 & 15 *Vict.* c. 14. I think that that is a bad Act, one founded upon a vicious principle, and though I am not prepared at present to propose its repeal, I should certainly not under any circumstances consent to be a party to extending its provisions.

Mr. W. E. FORSTER said, that inasmuch as the right hon. Gentleman had stated that there was some ambiguity in the words of the proposed 34th clause, he should be glad to know if the right hon. Gentleman would inform the House before going into Committee on the 3rd clause distinctly what was the meaning which he attached to the proviso. It was evidently quite impossible that the Committee could arrive at a proper decision with regard to the clause until that meaning had been stated.

The CHANCELLOR of the EXCHEQUER: When we get into the discussion in Committee I shall be ready to state precisely the meaning which I put upon the words. I do not, however, wish the House to labour under a false impression, or to be deceived into the supposition that the clause as at present drawn has any reference to the 14 & 15 *Vict.*

CASE OF THE "TORNADO."

OBSERVATIONS.

Lord STANLEY: I wish, Sir, to make an appeal to my hon. Friend the Member for Honiton, with reference to a Motion which he has placed upon the Paper, and I do so upon public grounds only. My hon. Friend has placed upon the Paper for to-morrow evening a notice referring to the subject of the *Tornado.* Upon that question negotiations are still pending, and after the consideration shown by the Spanish Government in reference to another matter, we have no reason to fear any other than an amicable settlement. I think, therefore, that under these circumstances if a debate were to take place at the present time, the chances of that settlement might to some extent be jeopardized. My hon. Friend, no doubt, would deal with the case in the fairest and most temperate manner; but still it would be impossible, in the general discussion which would of course ensue, to provide against the saying of something which might wound the feelings of a very sensitive and high-spirited nation, and thus render the success of the negotiations more difficult; while, at the same time, any difference of opinion such as might very possibly arise, or the question of International Law involved, would necessarily weaken the hands of Her Majesty's Government. In spite, however, of these circumstances, I should have some hesitation in making this appeal to my hon. Friend, if it were not that, as it is now only the beginning of May, and we can look forward to a sitting of some months, my hon. Friend will be able, during the course of the present Session, to find ample opportunities for calling attention to the subject.

Mr. BAILLIE COCHRANE said, that this was the second time that he had given a Notice upon this subject, and the second time that his noble Friend had appealed to him to postpone his Motion. He believed he was only representing the general feeling, not only of the House but of the country, when he expressed his admiration of the ability, judgment, and discretion which had marked his noble Friend's conduct of this affair. He wished, however, to remind his noble Friend that although the question of the *Queen Victoria* was settled, the question of the *Tornado*, which was entirely separate and distinct, had in no way been affected by that result. The considerations involved in the case of the *Tornado* were of the gravest possible character. Not only was there the question of the validity of the seizure of the vessel, but he should have to represent the case of the officers and crew who had been so harshly treated by the Spanish authorities. [" Order, order! "] He would not enter into that question at present. He simply desired to justify the expression of his opinion as to its urgency and importance. Still he would defer to the request of his noble Friend and the wishes of the House. He would, however, ask his noble Friend whether the claims made to the Spanish Government on behalf of the officers and crew had been withdrawn, or whether they were still pressed; and he would, moreover, appeal to the Government to assist him in obtaining a day for bringing on his Motion in case he should be unable to bring it on on the 24th of May, to which day he would postpone it.

VACCINATION BILL.—QUESTION.

Mr. BARROW said, he wished to ask the Vice President of the Committee of Council on Education, Whether he will postpone the second reading of the Vaccination Bill till an opportunity has been given of fully considering its provisions?

Lord ROBERT MONTAGU, in reply, said, the principle of the Bill had been approved three or four times by the House, and it went last year before a Select Committee on the express understanding that the principle of the Bill should not be impugned. He had hoped that the second reading would this year have been passed *sub silentio* as it was last year, and that any discussion would have been raised on the Motion for going into Committee. He would postpone the second reading till that day week, though, from the state of Parliamentary business, he did not feel sure of being able to bring on the Bill on that day.

METROPOLIS GAS BILL.—QUESTION.

Mr. LIDDELL said, he wished to ask, Whether it is intended to bring on the adjourned debate on the second reading of this Bill that evening?

Sir STAFFORD NORTHCOTE said, he had been in communication with the representatives of the Metropolitan Gas Companies for some weeks past, and he had proposed some modifications, which they were willing to accept, and to allow the second reading to pass without opposition. As it was very undesirable that the Bill should be kept hanging over he would proceed with it that evening at whatever hour he could get it on. [" Oh, oh! "] He was afraid hon. Members had not heard his statement, that he had, in communication with the representatives of the Gas Companies, agreed to certain modifications, and if those modifications were accepted there could be no reason why the Bill should not be at once read a second time and sent to a Select Committee.

CORRUPT PRACTICES AT ELECTIONS BILL.—QUESTION.

Mr. ADAIR said, he would beg to ask Mr. Chancellor of the Exchequer, When he proposes to proceed with the Corrupt Practices at Elections Bill?

The CHANCELLOR of the EXCHEQUER: I shall proceed with it when I have the opportunity.

Mr. DARBY GRIFFITH said, he wished to inquire what is the latest hour at which the Bill will be proceeded with that night?

The CHANCELLOR of the EXCHEQUER: Not at an unreasonable hour. As to what is an unreasonable hour depends upon the feeling of the House.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE BILL—[Bill 79.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Lord Stanley.*

COMMITTEE. [THIRD NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Occupation Franchise for Voters in Broughs).

Earl GROSVENOR: Sir, there is an Amendment upon this clause which stands in my name to move to insert the words—

> "Is on the last day of July then last past, and has during the whole of the two years immediately preceding, been the occupier as owner or tenant of any house, warehouse, counting house, shop, or other building being either separately or jointly with any land within such borough of a rateable value of or exceeding five pounds."

As I wish to explain to the House the position of my Amendment in reference to the measure, to put myself in a position to do so, I will move to insert the words "then last past," which would be a merely verbal Amendment. I wish to make this statement in reference to the feelings of those hon. Members who are in favour of a £5 rating franchise; and to show why it is that I have withdrawn the Amendment on the Paper so far as I am concerned. Perhaps I may be allowed to give an explanation of that Amendment, and of the Amendments which follow it. I believe that a £5 rating franchise would have received very considerable support on both sides of the House if it had been proposed at an earlier period of the discussion upon this measure. But peculiar circumstances have occurred since I gave notice of it. A division has taken place, and the Government obtained a considerable majority. I have consulted hon. Members upon both sides of the House who would have supported the Amendment, and they have assured me, and I feel convinced myself of the fact, that it would now be useless to take up the time of the Committee in bringing it on. The second Amendment that stands in my name refers to the occupiers under the Small Tenements Act. With reference to that I reserve to myself the liberty to proceed with it, if it should be necessary, at a later period of the discussion. The object is to alter the Small Tenements Act and to bring down the figure from £6 where it now stands, to a £5 rating, and at and below that figure to make it compulsory upon the owners of property, the landlords to pay the rate instead of the occupiers. I will say no more with respect to this matter now, except to observe that my reason for proposing a £5 rating franchise was that, although it to a certain extent disfranchised occupiers of houses rated below £5, yet it seemed to me to be a Liberal enfranchisement, and, at the same time, Conservative in character, and calculated to lead to a more satisfactory settlement of the question than the Bill of the Government. I hope I may be allowed to say one word with regard to myself, and mention the answer I have to give to the hon. Member (Mr. Osborne), who said, in a speech made before the recess, that no man in the House had done more than I had to cut off all idea of Reform. I think the best answer I can give to that is, that if I had wished to do that and had been consistent, I should have voted with the hon. Member, and with the right hon. Gentleman (Mr. Lowe), against the Government; because if the result of that division had been the success of the Amendment of the right Gentleman (Mr. Gladstone), it would have defeated the Government and thrown out the Reform Bill for at least this year. I not only objected to the Amendment, but I was most anxious that the Government should not be defeated, hoping that in Committee upon the Bill I and others might have an opportunity of moving Amendments that stand in our names, and thus materially improve the Bill. Whether it is an accusation or not I do not know—but in the course of the recess the hon. Member for Halifax (Mr. Stansfeld) stated, either in a speech to his constituents, or in an address at Leeds, that there had been some collusion between the Government and myself as to the Amendments which stand in my name. I do not know whence the hon. Member derives his information; but it is information of which I was not possessed. The Chancellor of the Exchequer, in the short speech which he made in reference to the statement of the hon. Member (Mr. Osborne), stated distinctly that there had been no collusion between the Government and any Member on this side of the House. The following night there was a long discussion as to communications which had passed between the hon. Member for Swansea (Mr. Dillwyn) and other hon. Members. I only make the present statement to acquit myself of knowledge of any collusion. I do not know exactly what in such a case as the present is implied by the word "collusion;" but if it means an underhand communication, or any proceeding that should not exist between Members on this side of the House and the other, I say distinctly that there was no collusion between me and any Member of the Government. My great object was to pass a Bill that would be satisfactory to the House and to the country; but I beg to state distinctly, in confirmation of the Chancellor of the Exchequer, that there was no collusion whatever. There may be a difference of opinion in reference to the £5 rating; but my reason for bringing it forward was this:—It is my opinion that while it would have given a Liberal enfranchisement, and would have formed the basis of a Liberal Reform Bill, the proposal would also have been very Conservative, and would have offered a more satisfactory settlement of the question than the Bill of the Government does. Lest I and those who have acted with me in the course I have pursued with reference to Reform should be thought inconsistent, I wish to add a word in explanation of my having placed these Amendments on the Paper. We objected to the Bill of last year because we conceived that it would lead to no settlement of the question, inasmuch as it was founded upon no principle—a figure is in itself no principle—but to alter the Small Tenements Act so that personal rating and voting may go together is a principle of very definite character. My Amendment would insure that the lower class of householders would not be allowed to vote if it were thought expedient to make the owners of their houses, and not themselves, liable for their rates. In bringing forward this £5 rating franchise on this occasion I relied very much upon succeeding in altering the Small Tenements Act, and we thought then that the £5 would be a very good line, fair to all parties, and one which would offer the fairest prospect of a settlement of the question. I thought that it would be right to see whether the impression of the House was in favour of the £5 rating. Seeing that the feeling of the House is against me, it is not worth while that I should occupy its time in discussing a question that I cannot possibly carry. It is for this reason that I have made this statement. It is quite within our power, should the Bill pass through Committee, and not be considered satisfactory, to reject it upon the third reading. At the same time, I sincerely hope that such Amendments as are necessary may be carried, and that the Bill, when passed, may be a satisfactory one.

Amendment put, and *negatived.*

Mr. AYRTON said, that he had an Amendment to propose, and that was to leave out the words "two years," and insert the words "twelve months," as the period of residence for compound-householders. In proposing this Amendment for the consideration of the Committee, he thought it right to explain that he moved it in no spirit of hostility to the course which had been taken by the right hon. Gentleman (Mr. Gladstone) who had given notice of, but withdrawn a similar Motion. On the contrary, if he were called upon to express any opinion of it, he should express his entire satisfaction with the whole course that the right hon. Gentleman had pursued in reference to the matter. Nor did he desire to revive any of the questions which were so fully discussed before the recess, or to invoke any of those differences of opinion that had occurred between himself and others on the same side of the House. He thought that his Amendment was one of that purely practical character that did not render it necessary to re-open any of the questions that had been previously discussed. Still less did he desire to express any censure upon the views of hon. Gentlemen who sat near him, and who had thought it necessary upon former occasions to take a course different to that which he himself had adopted. He had no doubt that those hon. Gentlemen were actuated by the conviction that they were pursuing the course which would be most advantageous to the public interests. In the question they were now about to discuss there could be no difference of opinion on either side of the House with regard to the principles which should guide them in coming to a decision; the only question was as to the best practical mode of carrying out by legislation principles upon which they were all agreed. He never entertained for a moment the idea that it was expedient to admit every person to the enjoyment of the franchise because he happened to be a man. He had always thought that there should be a line drawn between those who were entitled to exercise the franchise and those who were not so entitled. And he thought that that line could be best drawn by separating those who had a fixed position in the country from those who might be regarded as a mere fleeting and unsettled population. That, he thought, was the view at which Her Majesty's Government had arrived. He understood that the noble Earl at the head of the Government had, in effect, stated that the object of the Bill was to exclude from the possession of the franchise those classes who might be described as being too migratory and unsettled in their habits to be intrusted with such important functions. But in order that there might be no misunderstanding as to the views of the Government upon the point, he thought it right to call attention to the sentiments recently expressed upon the subject by the Prime Minister. The noble Earl said—

> "What are the terms upon which we desire to qualify a man to vote? Temperance, frugality, permanence of tenure, steadiness of conduct, and a continuous period of residence."

The noble Earl went on to explain how some of those moral attributes were to be inferred on the part of the voter by his payment of rates, and said the reason why he asked for the test of residence was—

> "Because there is in large towns a vast amount of migratory population who are the least respectable and the least valuable portion of the community, who are the least known to their neighbours, and upon whom we think it advisable not to lavish the franchise."

No one had ever accused the Government of lavishing the franchise upon anybody, but the noble Earl went on to say—

> "Therefore we claim a certain period, be it one year, a year and a half, or two years—for that is a matter for future discussion—so that the franchise may include all those who are permanent householders, and exclude that migratory population who have no permanent connection with the towns."

That was the proposal which the Government in the latest exposition of their views had invited the House to solve. He was content to accept the general principle that the Government were prepared to confer the franchise upon all the inhabitants of a town except those who were so migratory in their character that they could hardly be said to form part of the community among which they dwelt. The question, therefore, was what was a reasonable definition of a permanent inhabitant? Her Majesty's Government, in framing their Bill, seem to have been led to their proposal by directing their attention to the Act which regulated Municipal Elections. No doubt it had been a floating idea in the minds of many men that it would be a convenient and Conservative—he did not mean to use the word in a party sense—mode of treating the franchise to enact that the municipal elector should be also a Parliamentary elector. But in practice there were many insurmountable objections to that course. In the first place, the Parliamentary and municipal boroughs were not identical; in some it would be impossible to alter the boundaries so as to make them identical, and in very many cases they would find themselves involved in questions not easy to be solved. To carry out the theory to the fullest extent would be impracticable, and therefore it could not safely be made a basis for the law of the land to rest upon. Still the Government, though they could not act upon the idea as a whole, had evidently entertained it to some extent, for they regarded the two years' occupation, which was a condition of the municipal franchise, as a qualification that might conveniently be introduced into the Parliamentary franchise. In adopting this view, however, they had not, he thought, sufficiently considered the important distinctions between the municipal and Parliamentary franchise; and the moment these were pointed out the House and the Government, he thought, would have no difficulty in abandoning the two years' limit, and adopting the one year's limit which it was the object of his Amendment to introduce. The municipal franchise was acquired by a two years' occupation undoubtedly; but then at the end of two years the roll of electors was immediately prepared, and at the end of two months further came into operation on a particular day, the election always taking place at the expiration of two years and two months from the period of the commencement of the qualification. Under the municipal system, therefore, from the commencement of the right till its ultimate enjoyment, there never could be a greater period than two years and two months. But in the case of Parliamentary elections the system was entirely different. The right to vote for a Member of that House commenced under the existing system at a period of one year from the making up of the first electoral roll, but superadded to that was a period of four months, which was required to make the roll complete. When, then, the voter was entitled to vote at the expiration of one year and four months, it was only a barren right, inasmuch as he might not be called upon to exercise it for many months or even years afterwards. If they reduced this question to an arithmetical computation of averages, inasmuch as Parliament could be continued for a period of seven years, it might be assumed that three years and a half would expire before the elector could exercise the right to vote, after the one year's occupation and the four months for the making up of the roll had passed by. In ordinary circumstances, without considering the averages, it was clear that no man was called upon to exercise his right to vote until some time had elapsed after the making up of the roll in December. If therefore they compared the rights of municipal and Parliamentary electors, adopting the views shadowed out by the Government measure, they would find that there was no analogy between the two cases. They must take into account all the circumstances connected with the enjoyment of the right. Even if they reduced the period of residence to one year, a much longer interval must elapse between the exercise of the one right and that of the other. Treating this, then, as a purely practical question, upon the basis on which the Government had placed it, they were bound to reduce the term to the period which he suggested. They were not legislating for an abstract right, but with a view to a practical enactment. The whole question, then, was between the commencement of the right and the practical enjoyment of it. Tested by that standard, he did not see any ground for the proposal of the Government. He suggested, after having had communications with deputations of the people, that the period should be twelve months. He was bound, however, to say that, according to his own individual opinion, he thought that period was too long; and he would be rather disposed to suggest six months as the utmost length. He confessed, however, that he would make such a suggestion with great doubt and distrust. He knew that some of the most intelligent of the working classes, who were prepared to adopt the language of Earl Derby as their rule and guidance, and who were just as anxious, and had really greater interest in excluding the migratory or unsettled portion of the population from the franchise, were themselves convinced that with the view to the success of their own objects—having regard to the circumstances under which the right would be acquired, and to the length of time that must elapse before it could be exercised—the period of occupation for the inception of the right to vote ought not to exceed three months. He had no doubt the working classes were best able to judge what was best for themselves; but he considered six months were sufficient; and his reason for proposing twelve months was, he frankly owned, to arrive at a compromise. It was a period that might be accepted by those who generally differed from him. It was not to be expected that they could get a Bill passed which would meet his and every other person's views, and therefore he hoped that the Government would adopt this reasonable middle course. The Government had asserted, the right hon. Gentleman the Chancellor of the Exchequer had repeated the assertion, and the Committee might be said to have to some extent sanctioned it, that this was a franchise to be considered entirely independent of those which now existed. But he would ask, was it wise and expedient, gratuitously and unnecessarily, to make distinctions between that which existed, and that which it was proposed to create? To make the change—in a sense—adverse and offensive to the people, unless they were impelled by some irresistible necessity to do so? Twelve calendar months were the term of occupancy required under the existing law before the occupant could be put on the electoral roll. That was a reason why the same term should be adopted in this Bill. Another reason why the Government should lean to a shorter rather than a longer period of residence was that the present was not a mere household franchise but a general occupation franchise, not coupled with personal residence. The Reform Act of 1832 provided that a voter need only reside within seven miles of the borough for six months before the registration, thereby giving him a very great personal advantage. It was not a personal qualification, for a man might occupy a tenement under that Act with a cow, horse, or goods until six months before the list was made up. The proposed qualification was of a very different character. When they came to speak of the occupation of a dwelling-house, it was quite clear they would in effect make occupation and residence one and the same thing. They would therefore not give to the occupier of a dwelling-house the advantage which was possessed by the occupier of other kinds of tenement. The period of residence proposed by the Government Bill would have the effect in many instances of practically excluding respectable householders from the franchise in consequence of the attendant conditions. Therefore the qualification would be much more stringent under this Bill than it was under the present system. In considering what would be the practical application of this clause, as it then stood, let them imagine the model working man Earl Derby had depicted who was entitled to vote. Suppose that Christmas having arrived he had elevated his condition to that of a householder, and that he resided where he was employed. In July following he would go to church — or rather he would do so if hon. Gentlemen opposite did not make such mistakes as they did in church matters—thinking that he had risen to the standard of a virtuous man, and to find his name on the list; but he would be mistaken. Upon inquiring the reason why his name was not on the list he would be told that he had not been virtuous sufficiently long. A year passed away, and he again went to look at the list at the church door, and again found his name omitted. Another year would come and pass away, and at last he would find, if he could get through the contentions of the agents of rival candidates, his name on the list. Years might pass by without an election, and whilst all those years were rolling on misfortunes might happen. He might not have sufficient money in his till with which to pay his rates—for tax-collectors never call twice. They would be paid by the landlord, and at the end of four or five years he would find that all his efforts to obtain the franchise had resulted in disappointment. He would have to begin again and repeat the same career of endeavours, be buoyed up with the same hopes, and Heaven only knew when he would have an opportunity of exercising the franchise. Was it therefore desirable to proclaim to the people that they were going to obtain hosehold suffrage, but surrounded with such conditions that in all probability a man would hardly ever enjoy the right they gave him, owing to his being from some crotchet divested of it? They would surround this right with such hard and oppressive conditions that the result would be that instead of having contented Conservative voters upon the list, they would have exasperated Republicans, who would curse the institutions which had given them such a mockery of political rights. There could be no more injurious course pursued than to hold out political rights which could not be attained by reasonable exertions, and enjoyed when opportunity occurred. He hoped the Committee would follow the advice which had been given to it by the Prime Minister and see the necessity of taking heed to the counsel that had been given them. He trusted that Her Majesty's Government would be prepared to agree to his Amendment, and not force the Committee to insist on it, but rather by a conciliatory course adopt it.

Amendment proposed, in page 2, line 5, to leave out the words "two years," in order to insert the words "twelve calendar months."—(*Mr. Ayrton.*)

Sir JOHN PAKINGTON: Sir, I quite concur with the hon. and learned Gentleman that this is a practical question, and I also concur with him that it is not a question of principle. I assure him that I wish I could at once feel it my duty to accede to his Amendment. I wish most sincerely that Her Majesty's Government could have commenced the proceedings of this evening by making a voluntary concession to the extent asked for. I believe it to be the earnest desire of hon. Gentlemen on both sides of the House, and of the public out of doors, that the long-vexed question of Parliamentary Reform should be disposed of as soon as possible in a manner satisfactory to the country. I willingly admit that by a large portion of the other side of the House we have been fairly met up to this moment in the conduct of the Bill. Indeed, I do not remember any great measure in respect of which less of party feeling has been shown than has been displayed by the majority of the

House with regard to this measure. I therefore admit that it is the duty of the Government, as far as they can consistently do so, to meet hon. Gentlemen on the opposite side in a fair spirit. Consequently, it is with great reluctance I feel obliged to say that Her Majesty's Government cannot consent to adopt the Amendment. The object which the Government and, no doubt, the House have, is that we should not confer the franchise on a migratory and not reputable portion of the population, but extend it only to those whose station in life is some guarantee that they will exercise it honestly and usefully. I think hon. Gentlemen on the opposite side of the House will be of opinion that the Government are making large concessions. They will allow that we are endeavouring to pass a Bill by which every householder in the country, on giving certain proofs of respectability and of competency, will be able to exercise the franchise. It cannot be denied that in introducing a Bill of this character we are making large and liberal concessions. I am sorry to observe that in a speech made recently at Birmingham by the hon. Member for that town (Mr. Bright) he alluded to this part of the Bill in terms which I think were hardly consistent with accuracy as to the facts, or fairness as to the argument. If the hon. Gentleman is reported correctly, he said—

> "In addition to this, there is that monstrous proposition of a two years' residence instead of a twelvemonths', as now. As Mr. Scholefield said, twelve months is a great deal too long; for if a man comes into a house on the 1st of August he cannot vote for two years and four months if the Bill passes; and if a man comes to Birmingham from London or Manchester, and takes a shop in your best street—a shop does not give a vote without a residence after the 31st of July, 1867—he cannot have a vote until the 1st of December, 1870. These are the mean and contemptible methods by which these persons"

I presume that by "these persons" the hon. Member means Her Majesty's Government—

> "while pretending to give, seek in every little, dirty way to exclude you from the franchise."

I think I might ask a question including some of those expressions with regard to the manner in which, in some quarters, this Bill has been opposed; but I shall not resort to any such means. I would much rather turn from this language to what bears immediately on the question at issue—and it has been already referred to by the hon. and learned Member (Mr. Ayrton)—I mean the Act of Parliament which regulates the municipal franchise. That Bill was passed by a Liberal Administration, and I wish to ask whether the hon. Member (Mr. Bright) accuses them of "mean and contemptible methods," or of having resorted to "little, dirty ways" when they brought in their Bill for the purpose of regulating the present franchise under the Municipal Act? What was the object of that Act of Parliament? Was it not analogous, and, indeed, almost identical, with the object of the measure which is now under the consideration of the House? Its object was to enable, as far as the municipal affairs of our towns were concerned, every householder who could give certain proofs of respectability and permanence to exercise the municipal franchise. And what were the proofs of respectability and permanence which the Municipal Act required? The proofs required were length of residence and payment of rates. And here let me call the attention of the hon. and learned Member (Mr. Ayrton) to the fact that he made a serious error in his statement as to the period of residence which is required by the Municipal Act. The hon. and learned Gentleman told us that two years was the residence required, and that in two years and two months any ratepayer in a town would be able to exercise the municipal franchise. [MR. AYRTON: I said two years and four months.] I understood the hon. and learned Gentleman to say two years and two months; but, at all events, I have before me a copy of the 9th section of the Act, and it is in these words—

> "And be it enacted that every male person of full age who on the last day of August in any year shall have occupied any house, warehouse, counting house, or shop within any borough during that year and the whole of each of the two preceding years, and also during the time of such occupation shall have been an inhabitant householder within the said borough or within seven miles of the said borough, shall, if duly enrolled in that year according to the provisions hereinafter contained, be a burgess of such borough and member of the body corporate of the mayor, aldermen, and burgesses of such borough."—[5 & 6 *Will.* IV. c. 76.]

There is besides a provision that no person shall be enrolled unless he has been rated to all rates and paid his rates. The House will thus see that the hon. and learned Gentleman has made a considerable misstatement as to the term of residence and rating required by the Municipal Act, for instead of two years and two months the term required is two years and eight months. It will be seen, therefore, that the period prescribed by the Municipal Act is considerably longer than that proposed by the present measure for voters for Members of Parliament. But I have another extract to which I will call the attention of the House. I have already reminded the House that the Municipal Act was passed by a Liberal Administration. It was passed by an Administration of which the present Earl Russell was a distinguished member, and during the discussion respecting it he made the following remarks:—

> "While we think it is but proper to have the permanent ratepayers of the town as the persons to elect the Council, which is to have the government of the town, yet, at the same time, it seems to be as necessary to take some precaution that they are neither persons who are occasionally suffering under the pressure of distress, which obliges them to receive parochial relief, nor persons unable regularly and for a length of time to pay their rates. We think they ought to be the permanently settled and fixed inhabitants of the town alone, and those who regularly contribute to its rates; and we propose, as a test of this, that they should be persons who shall have been rated to the relief of the poor for three years, and who shall have regularly paid their rates for that term."—[3 *Hansard*, xxviii. 548.]

These were the views entertained, not by a Tory Administration, not by the opponents of Liberal measures. This was the language of Lord John Russell in urging, as a proof of fitness for the exercise of a public right, that the persons who were to exercise a great political right ought to give proof of their respectability, their permanence, and their fitness to discharge the duties imposed upon them. Then the hon. Member (Mr. Bright) complained of the long period during which a person may, under certain circumstances, be debarred from exercising the franchise, and I think the hon. and learned Member for the Tower Hamlets made use of the same argument. There is no doubt of the truth of that proposition, but I deny that it is an argument against requiring a longer period of residence as a proof of respectability. I deny that it can be fairly brought forward against the present clause, because it would be applicable to all cases—to the one year period of the hon. Member, and to the two years of the present Bill. Even if no length of residence was required, considerable delay would in numerous cases occur before a man could be registered, and thereby obtain a right to vote. With regard to municipal ratepayers there has been a very considerable relaxation of the original Act. That portion of the Act which required the payment of rates has been repealed, though no alteration has been made in the clauses relating to residence. The effect of that repeal, however, has been by no means favourable to the idea of abandoning such securities as are proposed in the present Bill. The question of the securities for the municipal franchise became the subject of inquiry before a Committee of the other House of Parliament; and that Committee reported that the character of our corporations had been by no means improved by the relaxation which had taken place in regard to requiring payment of rates. But there is another authority to which I may refer. I must remind the House that the Municipal Act is not the only measure introduced into this House by a Liberal Government—in which a long period of residence has been required as a test of respectability. In 1854 a Reform Bill was introduced by the Government of Lord Aberdeen, of which Earl Russell and the right hon. Gentleman (Mr. Gladstone) were Members. That Bill did not propose to extend the franchise as far as the present measure. It proposed to limit the franchise to £6 rental; but what were the securities which Lord John Russell introduced into that Bill? The residence required by that Bill was longer than the residence required by the measure now before the House. It required a residence of no less than two years and six months; and it also provided that no person should be entitled to the franchise unless he had been rated and also paid his rates. So that here are two precedents at least, both introduced by a Liberal Administration, with precisely the same object that Her Majesty's Government now have in view—namely, to avail themselves of such proof as permanent residence gives of the respectability of persons, and of their fitness to be intrusted with the franchise. I would remind the House that if you restrict the residence to one year, it is possible cases may arise of persons being placed on the register without having paid any rates at all. In a town—I know one, and there may be others—where rates are paid only once a year—and it may be by instalments—it may happen that an occupier, on taking possession at a particular period, may not be called upon to pay rates until January, and then he might come on the register without having paid any rates at all. That is an additional reason why we should retain the security of a longer period of residence. There is one other consideration to which I would call the attention of the House. Some have objected to the proposal of the Government that it will have the effect of increasing corruption by enabling parties to put persons on the register by paying their rates. But the longer the term of residence you require, the less chance is there of their doing it. Therefore, the longer residence gives greater security against corruption—at least, to the extent of making it less probable that rates will be paid in this way. I hope the House will support the Government in maintaining this proposal. We feel that while we are making great concessions by this Bill—while we are offering a large extension of the franchise—we are bound to take such precautions and such securities as are fairly open to us, in order that the privileges conferred by the Bill may not be abused. In adopting this provision we are only acting upon the precedents set in the case of the municipal franchise, and in the case of the Liberal Reform Bill of 1854. We believe that the effect of this limitation will be to prevent the franchise being exercised by the migratory and shifting portion of our population, and to confine it to those persons whose steadiness and respectability afford a guarantee that it will be safe in their hands. Justified by these precedents, and convinced that we are only asking the House to consent to a fair and effectual security, I am obliged to say that the Government will be compelled to take the sense of the House by a division.

SIR ROUNDELL PALMER: I heard with considerable satisfaction from the right hon. Gentleman that he and the Government do not regard this as a question of principle—that the difference between the proposal of the hon. and learned Member for the Tower Hamlets and the proposal of the Government, in the opinion of the Government, does not involve a question of principle. That will be an assurance to the Committee that, if it should think it right to adopt the proposal of the hon. Member, they will not run any risk of encountering the alarming consequences which on other occasions have been referred to. We therefore may with impunity vote as we think upon this question; and, if I do not mistake, it is regarded as a question of principle on this side of the House. I deceive myself if I shall not be able to show that it is a question involving a principle of great importance. I listened to the speech of the right hon. Gentleman in the hope that I should have heard something like argument in favour of this particular proposal of two years' residence as against the proposal of twelve months. The only arguments which I heard were two. First, there were two precedents. One of them, that of the Municipal Corporations Act, is completely inapplicable, as I will show. The other is Lord Aberdeen's Bill of 1854, which has been dead and buried for the last thirteen years. I think it could only have been dug up again when it was felt that there was exceedingly great difficulty in presenting anything like a plausible argument in favour of the proposal of the Government. A majority of the Committee will not be very much alarmed nor rendered very uneasy in their consciences if they vote against something which may have been proposed in Lord Aberdeen's Bill of 1854. The only other argument is—"We are making great concessions. We must have our price for them. This is our security. This is what we expect to limit the effect of these concessions by. Upon these terms we venture to recommend this proposal to the House." But if the proposal of the Government can be encountered by reasons founded on principle, and by evidence of practical inconvenience, such reasons as those which have been offered in its favour by the right hon. Gentleman must necessarily fail to satisfy a majority of the Committee. You have introduced a large measure, and you say that the great recommendation of it is, that it gets rid of the "hard and fast" line of a particular rating or rental franchise. That is the language of my right hon. Friend (Mr. Henley), adopted by the Government. I quite agree with it, and I said so last year. In my humble judgment it is a great benefit to depart from the hard and fast line of £10, or £6, or £5, or any other figure, and to get to the intelligible principle that an occupier who is entitled by a sufficient length of residence to be reckoned as a resident of a borough—and, if you please, if that be the opinion of the Committee, who is rated and is upon the rate book—I accept any decision of the Committee upon that or any other point—shall be a voter without reference to the pecuniary value of the house he occupies. I understand the House to have decided practically in favour of that principle. I agree in the estimate of its value formed by my right hon. Friend. To that extent I agree with the Government. But, having got rid of the hard and fast line, they propose an odious and invidious distinction between the present £10 householders and those who come in under this Bill. I should have thought that not only the abilities and patriotism of the Government, but that the slightest application of the most ordinary principle of common sense to the subject, would have shown the Government that after they had got rid of a hard and fast line, they must give it up out and out for good and altogether. But you propose still to draw an odious hard and fast line, after you have come to household suffrage. You say that there shall be privileges distinguishing and separating the £10 householders from others, not only the individuals now upon the register, but for all time to come. You say that they shall be admitted to the franchise upon easier terms, that they shall be admitted after one year's residence, while all admitted under this Bill must have resided two years. You require that they must not only have claimed to be rated, but must have been rated for two years before. You require that they must satisfy all the obligations about rating by doing more than that which is required of the landlord when he is rated. You thus keep a privileged class divided from others only by the hard and fast line of a fixed numerical amount of pecuniary value, and utterly destroy all the benefit you would otherwise obtain from getting rid of an arbitrary line for the franchise. You are further unnecessarily throwing out the question for fresh agitation and losing the opportunity of settling it now once and for good. Here arises the question of principle. If the £10 householder in boroughs is let in after he has resided for one year, and if you are going to let in another class below £10, why not upon the same terms? If they are worthy to be admitted to the franchise, on claiming to be rated and paying rates, why should they not be enfranchised upon the same terms as the man who occupies a house worth £10 a year? Here is your first point of departure from principle. You say that a man whose house is worth £9 shall have resided two years, but that the man whose house is worth £10 shall have resided one year in the borough. If you think one year insufficient, why do not you propose to alter it in the case of the £10 householder? If two years is the proper time, why do not you apply it to all alike? Any plan of liberal enfranchisement which deserves the name of an attempt to settle the question must get rid of that line altogether, and must enrol new voters upon the same terms as those on which the existing voters have been enfranchised. If the terms upon which the old ones have been let in are wrong, alter them; but do not attempt to draw this invidious and this odious line between existing and new voters. Again, I wish to point out the utter inapplicability of the argument based upon the municipal franchise. It is exercised for a totally different purpose—namely, for carrying on local government. Not in regard to the affairs of the nation, but respecting the affairs of the place in which it is enjoyed. In the case of the municipal franchise you require the longer term of residence, and there may be valid reasons why the residence of local electors should be more completely established. But you do not adopt the municipal franchise as your basis. If you did the gain would be greater than the loss, for you would get rid of the necessity of paying rates in person and of being rated. You must look at the municipal franchise as it is now, and not as it has been at some remote period But you do not take it altogether. You take out of the municipal franchise one particular thing, which happens to be the most restrictive and unpopular thing in it, and adopt it for a totally different purpose, while you decline to adopt the more liberal provisions of the law of the municipal franchise. I wish also to point out to the Committee what will be the practical effect of the Bill, coupling the provision of two years' residence with what follows it. A person is to have a vote who "has during the time of such occupation been rated in respect of the premises so occupied by him within the borough." He must not only have been an occupier, but he must have been rated during the whole of the two preceding years. If he be a compound-householder, he must have made his claim to be put on the rate book two years before the time when he can have a vote. You require of him a providence and a foresight which would put him under the liability not merely to make the payments, but also to take the trouble to make his claim for two years before he can be put upon the register at all. I regard it as a valuable principle that the new occupation voters should be put on the same footing as the old ones, and that the compound-householder should not be called upon to make greater sacrifices and subjected to greater restrictions than the £10 householder. I hope the majority of the House will take the same view of the question.

MR. M. T. BASS: As I have been called very hard names by hon. Friends near me—such as traitor, renegade, rebel, and what not—I hope the House will give me its indulgence while I make a brief reply to those remarks. With regard to the Amendment, I think it cannot be resisted on any just grounds. You may impose the same condition of a two years' residence on occupiers above £10, but you cannot properly create a distinction between them and occupiers below £10. As I said, however, in respect of the vote lately taken in this House, hard words have been used towards Gentlemen sitting below the gangway, and the hon. Member (Mr. Bright) has used particularly hard words. He has accused me of "treachery." He says that we would "take anything rather than go back to our constituents." That we are "renegades, assisting an anti-Reforming Government to pass a very bad measure." That "there is not much principle or patriotism among us, nor any love of Reform." The hon. Gentleman accuses us of "smallness" and "meanness," and insinuates dishonesty. ["Question!"] I am sure the House will be of opinion that when the honour of Members is impugned those Members should have an opportunity of defending themselves, and that no Member ought to be accused of acts which would render him unworthy of a seat here unless he has so conducted himself as to be really an object of reprobation. I think, then, that my hon. Friend misuses his great ability and his great power of speech when he attributes to those who claim to be honest men very dishonest motives. Suppose, for example, I were to impute to him that he was playing a part in this matter, and was looking for office? No man would be better pleased to see him in office than I should, and there is no office which he is not able to fill, I may say to adorn. But I believe in his honesty—I believe in the honesty of every gentleman until he is proved to be otherwise than honest; but I really think that men who have spent nearly twenty years in this House, and have followed the fortunes of the Liberal party in good repute and in bad repute twice as long, should be spared these unworthy reproaches. I was not in the tea-room, though I should not have been ashamed of being there. But another hon. Gentleman has been indulging in comments. The hon. Member for Sandwich (Mr. Knatchbull-Hugessen) says that I am most unjust and ungenerous because I thought that some Members of the late Government wanted to get back into office. Now, the hon. Member is aware, because he has seen it in print, that rather a strong remark was addressed to me immediately after the division, and that an hon. Gentleman who was in high office told me I had done something shameful. But are we not of "the same flesh and blood?" Are we to be kicked and cuffed, and then to lie down and be thankful for it? The hon. Member for Birmingham tells us that this is a very bad Bill. But the hon. Member for Bradford says there is a great deal of good in it, for it will open the franchise to 700,000 people. He says it is a better Bill than the Conservative party supposed it to be, and he gives the right hon. Gentleman the Chancellor of the Exchequer credit for much simplicity in bringing forward such a measure. I do not know whether the right hon. Gentleman takes it as a compliment, but I take it that he understands the Bill.

MR. W. E. FORSTER: The hon. Gentleman is making a mistake, which, I am sure, he will be glad to correct. I did not make the extraordinary statement that the Bill would admit 700,000 to the franchise. I simply said that so far as the limit of the value of the house was concerned it took away the obstacle to 700,000 persons obtaining the franchise.

MR. M. T. BASS: I used the phrase "open the franchise," and I rather think my hon. Friend has now drawn a distinction without a difference. The hon. Member for Halifax (Mr. Stansfeld) also said there was a great deal of good in the Bill, and that it might be made a good Bill. Notwithstanding this, we are called "traitors to our party." I am sure no one who knows me will suspect me of any wish to disparage the right hon. Gentleman (Mr. Gladstone), who has led the Liberal party with such transcendent ability. But I have not deserted him. On the contrary, I have acted upon his monition and advice. What did he tell us at his own house the other day? [*Laughter and* "Question!"] I am upon my defence, and I beg to be heard. He said that we must have a Bill this Session; that we must have a Bill from the present Government, but that it must be a good Bill. Well, that is a term capable of many different constructions. Now, I am for getting the "great deal of good" which the hon. Member (Mr. Forster) found in the Bill. We were told from the other side of the House that the result of an adverse vote would be to throw out the Bill, and then we were threatened with a dissolution. What was to happen next? According to my hon. Friends near me the country would send to Parliament a set of men who would make all things right, and then we were to have a really good Bill. Now, having "something good" in this Bill, I preferred a bird in the hand to one in the bush, especially to a bird of such varied and doubtful plumage that you could neither make fish, flesh, nor good red herring of it. Now, just look. What is the position of the right hon. Gentleman (Mr. Gladstone)? Last year he threw up his Bill and left office because he would not accept a £6 rating franchise. This year he demands a £5 rating franchise, and my hon. Friend (Mr. Bright), who has always been for household suffrage, is content to take that franchise, though he says he would prefer a lower one. If I were to quote from the speeches of the right hon. Gentleman and my hon. Friend last year against a rating franchise, the Committee would be very much amused. I shall not take up the time of the Committee by doing so. They said everything they possibly could in condemnation of such a franchise, showing that it was an altogether untenable proposal, and my hon. Friend added that it was opposed to the Parliamentary institutions of this country. But bad as it is, he is glad to take up with it now. I say, then, that I have not deserted my party; the party has deserted me. I am sure the right hon. Gentleman will not think I am taking an improper liberty with him if I remind him that he, above all men in this House, has set us an example of independent voting where he did not altogether agree with his party or its leaders. I should like to know what Gentleman, honourable, right honourable, or noble, who has oftener left his party than he has—no doubt, for excellent reasons. And my hon. Friend (Mr. Bright), too, has been a rebel as often as anybody I know, for when he called himself a Member of the Liberal party he voted against that party in order to turn out Lord Palmerston. In fact, I do not know anything that was so deeply rooted in his heart as the desire to turn out Lord Palmerston. I voted to get a Reform Bill—a good Reform Bill, or, at all events, as good a one as I could get. I believe, in doing so, not only did I vote for the best interests of the country, but I am as firmly persuaded as I can be of anything, not actually proved, that it will yet appear to the country the very best course that could have been taken.

MR. BRIGHT: Sir, I am very sorry that anything which I have said anywhere should have given pain to my hon. Friend (Mr. Bass); but he seems to me in rather an unfortunate position, because the conduct which he has pursued is very much—I will not say what I have described it, but what he has described it—in the language he has used to-night. It is something beyond ordinary comprehension, seeing that he has had to write two long letters to the public; and those not being sufficient, he has now had to make what was for him an unusually long speech in this House in still further explanation, in order to set himself right with the public. I am sorry, too, that my hon. Friend felt that the observations which I made were so suitable a cap for him, and that he put it on. ["No!"] I made no reference—as the House knows, and as my hon. Friend knows—to him by name; and I confess that he was not in my thoughts at the time, and he certainly never could have been when I was saying anything unpleasant respecting any of my countrymen. But my hon. Friend ought to be a little more just himself if he is to be so critical of others, because in one of his letters he refers to what has taken place, I suppose with the hon. Member (Mr. Knatchbull-Hugessen), after the late division. ["No!"] Well, I only supposed that from what he said just now. He referred to something that took place after that division, and he left the public to believe that he had formed the opinion that Gentlemen on this side of the House took the course which they did on that occasion because they did not like longer to be left out in the cold. That is not a very pleasant observation to make respecting one's political Friends. The hon. Gentleman ought not to be so thin-skinned when he puts into print, not in the heat of debate, but in that cool and healthy state produced by half a day spent in fishing on the Spey. In the cool of the evening my hon. Friend sits down and writes a letter in which he thus describes some of his nearest political Friends. One word now with regard to the point before the House. The right hon. Gentleman (Sir John Pakington) quoted some words of mine, and for aught

I know, quoted them accurately. He thought I used language unfairly damaging to or depreciatory of the Bill of the Government in this particular. I only beg leave to tell him that I believe I expressed most accurately the opinions of the 5,000 or 6,000 of my countrymen to whom I then spoke; and looking at the discussions which have taken place throughout the country, whether at public meetings or in the newspapers, that is the opinion which has been formed of this particular clause of the Bill. I will now address what I have to say to hon. Gentlemen opposite. Some people say that you can never convince anybody in this House, but that I do not quite believe. You do not see men change votes, but I think you do sometimes a little alter the sentiments of those to whom you speak. At the present moment, as I understand it, we have come generally to the conclusion that there should be a large extension of the borough franchise, and we are rather seeking for qualifications on which to admit the people than for restrictions on which to exclude them. I think that, according to the speeches of the Chancellor of the Exchequer, the Government will admit this, that if they could pick out another 500,000 who were in their view qualified for the franchise, they would have no objection to admit them ; for the House has at length got rid of that absurd terror of numbers by which it seemed in some degree actuated during former discussions of this question, and particularly during last year. This is a restriction which is not founded upon any proved, or even suspected, disqualification. It is simply a restriction of the sort which you employ when you wish to get rid of numbers, but it is not founded upon any assumption even that the numbers are not qualified for the franchise. It is all behind the purpose, and has nothing to do with the question, to tell us about what was done in year 1854. You have made some progress since even last year, and it would be absurd to suppose that the right hon. Gentleman (Mr. Gladstone) and his Friends have made no progress since 1854. There were many bad things in those former Bills, some because the Government were not so thorough as they ought to have been, and some were because they were intended to conciliate your opposition. But nothing could be further from the real argument than to say that because Lord Aberdeen's Government did this thing or that thing, therefore we in this new world in which we are living—everybody being a Reformer—should go back to those old times and proposals. Nothing would be more absurd. Now, some persons imagine that this restriction is one which would leave out poor people, and those who are supposed to be less advantageous electors. But bear in mind that it will keep out the rich as well as the poor people. I accidentally met with a gentleman last night who came from Lancashire, and he was saying that, from some slight alteration, he had had to wait, I think, a year and a half before he could get himself upon the register of the borough in which he was living. He is a man of great property, and in all probability in the next Parliament will be returned as a Member of this House. If a Member of this House removed into any borough as a £10 occupier, he would be liable to the restriction of the one year ; and if he is an occupier under £10, he would be liable to the restriction of the two years, and the seven months, and the four months, up to December, and he would not get his franchise until the election after the December. Therefore every man, from the £10 occupier down to the lowest householder, would be subjected to this restriction. It would not act upon the poorest or most dependent, nor upon any one class in particular, with a view to amend the general quality of the list of electors ; but it would act upon them all, and it would act with great difference in different boroughs. I was told by a right hon. Gentleman that in some boroughs it would not make a difference of more than 5 per cent ; but I will state what it will do in the borough of Rochdale, where I live. I have taken care to ascertain exactly what is the present number of electors in that borough, and I find that they are under 1,500. If there were no period of occupation, and if the twelve months' residence did not exist, and a man could come on the register without any reference to his time of occupation, then that number would be raised to 1,800. Therefore 300 are kept off by the present one year, and I take it for granted that by the two years' residence 300 more would be kept off. That is a very important matter. In all the towns in the North of England, where the growth of the place is so large as to bring in a constant succession of new occupiers ; new houses, new streets, and new suburbs being created, almost continually, this clause of the Bill will act with great severity and, as I hold, with great injustice. What is the object of it? It is not that it can make any essential difference in the quality of constituencies. You are therefore only cutting off a number of persons who you admit are perfectly qualified, and you necessarily give them cause for great dissatisfaction. I was surprised that my hon. and learned Friend did not, in moving his Amendment, refer to the case of the metropolis; for I hold it to be an absurd, intolerable thing that, with respect to the metropolis, this clause should remain. It is, I admit, one great city, but it is composed of six great boroughs. I am not acquainted with the boundaries, but can suppose cases. If a man living on the west side of a certain street has not lived there time enough to get a vote, and removes to the east side of the same street—say from the borough of Marylebone into the borough of Finsbury—or if he went from the City of London, and crossing the river came into the borough of Southwark, he might go on this way for one, two, and three years—his life might wane away, and he would never come upon the electoral roll. And this man may be one of the very highest class of your artizans, who has been obliged to make these changes of residence in order that he might follow the employment that was offered to him, and thus procure sustenance for himself and his family. I am quite sure if the right hon. Gentleman the Chancellor of the Exchequer had to say a word upon this part of the question, he would not for a moment undertake to defend a proposal like that. The right hon. Gentleman the Member for Droitwich, though he blamed something that I said—matters of opinion —did not contradict any of my facts. I say if a man came into his house on the 1st of August, 1867, he would not be placed on the register under this Bill until December, 1870. That is a period of three years and four months, and there may not be an election for some years after—in fact, it may be five years before he would have an opportunity of exercising the franchise. Now, hon. Gentlemen opposite have got rid of a good many prejudices; why not get rid of this? After all, in the general reformation of character which one sees in progress, I am sure, with a very little effort, it would be quite possible to accept the proposal of my hon. and learned Friend. The restriction is not for the purpose of maintaining the quality of the constituencies, but for lessening their number. Further, any lessening of the number is, after all, of no advantage whatever in the view of anything that you may consider Conservative in the sense in which the word has formerly been used. You will admit that, unless you have a good argument, unless you have a strong and overruling argument to the contrary, it must be an evil that all persons over £10 must come in under one arrangement, and all under £10 under another. It is clear that between those two classes there would be, I will not say ill-feeling, but there would be a general opinion as to the desirability of making them alike, and of altering this clause in the way proposed. I undertake to say, if this law should pass as it now is, that the first Parliament elected under the Bill would see introduced a Motion with a view to alter this clause, and that you will again bring on a series of discussions upon the question of Reform which will lead on, from year to year, to greater movements and to greater agitation, until, in all probability, you would come to a very great unsettlement of that partial and unsatisfactory settlement this measure will be if this clause be persisted in. Surely it is not for the good of the country, it is not statesmanlike on the part of this House, to pursue such a course when no argument of necessity or justice can be adduced in defence of it. In fact, I believe—and I speak with perfect frankness—that the Chancellor of the Exchequer is as much convinced as any man on this side can be, that the proposition is not tenable and cannot be defended by argument; and that he would really be much obliged if the hon. Member for North Lancashire (Colonel Wilson-Patten), than whom there is not, I believe, a more just judging man, and half-a-dozen other Gentlemen on that side of the House, would get up and express their opinion that the point is not worth much, and that it would be well to make a graceful concession. I do not think it is worth while to use one other argument which occurs to me, because the House has, in some degree, rejected my views on all matters connected with this question of Reform. It is desirable, if you find what has gone before to be satisfactory on the whole, to proceed in the same direction. Therefore I think it an unfortunate circumstance that the Government have proposed, in so many points, to disapprove of the principle of the Bill of 1832. The Chancellor of the Exchequer seems to have a great ambition for the novel and the original, but everything new and original is by no means good. The Reform Bill was good for its time, simple and clear with respect to the franchise. Now, after thirty-five years' experience, the people, the lawyers, the revising barristers, the courts, everybody understands what the Reform Bill means. If you proceed as much as you can on the same basis, adhering to the same simplicity, you will find a great deal to remove and to adopt in order to prevent conflicting decisions of revising barristers, and save the country a great amount of trouble and expense in references to Superior Courts. I have treated this question, I hope, as my hon. and learned Friend has—as a practical question. It is not a matter upon which, if a man was disposed, as I am not, he could introduce anything like heated controversy. It is a question whether you believe your countrymen—such as are qualified by position in life—should necessarily occupy their houses for three years in order to enjoy the franchise. It is simply a question whether you believe that every occupier of a house below £10 rental must necessarily occupy it three years, and it may be three years and four months before he can be placed upon the register. Though he should so long have sustained his family, should so long have pursued his daily vocation, should so long have paid his taxes, and have been perhaps one of the most distinguished and most honourable citizens of his town. Though he has been there one year you will not admit him—two years you will not admit him; he must be there three years before you put his name on the register. Not one of those persons, therefore, can come in until he is twenty-four and twenty-five years of age. Now, what can be the object of a limitation like this? I think you will find throughout every part of the country—and I will not even except your own political party—that there will be general satisfaction if the Committee consent to accept the Amendment. Other points of the Bill will come on in their time; but I may freely state that, as far as I have heard, the general feeling of Members on both sides—certainly the unanimous feeling on this side is, that the Bill will be considerably improved if the Amendment be adopted.

THE SOLICITOR GENERAL: I do not know how far the hon. Member is warranted in professing to speak for Gentlemen on this side of the House; but I cannot help thinking that this is a question which is open to fair discussion, and which cannot be decided on the absolute principles laid down by the hon. Member. A certain amount of restriction rests upon the present voters, and the question is whether or not it is right when you grant a considerable extension of the franchise, and go down to the occupiers of a house of the lowest rental, to impose upon those persons an increased test over and above that which is imposed by the Act of 1832. That Act requires an occupation of at least twelve months, as a condition of the franchise. It was not deemed sufficient that a man should have the suffrage simply because he occupied a house and was rated; but the restriction of a twelve months' occupation was imposed for the express purpose of determining his fitness for enjoying the franchise. It is now proposed that we should for the first time admit a large class to the enjoyment of the franchise, and there is nothing unreasonable in requiring that those persons should give some special proof of their fitness for that privilege. A certain amount of restraint must, under any circumstances, attach to the right, and the amount of that restraint is in every case a fair subject for the consideration of Parliament. It is true that by the Act of 1832 the required term of occupation is only twelve months; but that is no reason why we should confine ourselves to that period when enfranchising a large additional portion of the population. The hon. Member says it is very hard that a man who may have lived a certain time on one side of a street should lose his vote if he happens, by crossing the street, to remove into the adjoining parish. But that observation applies equally to the case of a twelve months' residence; and the argument, if good for anything, would abolish the test of residence altogether. It is true that we propose a longer term. The precedent for such a proposal, furnished by the Bill of 1854, was very summarily dismissed by the hon. Member, and also by my hon. and learned Friend (Sir Roundell Palmer), who said that that Bill had been dead and buried thirteen years. Surely, however, it is well to pay some regard to previous attempts at legislation on this subject, and it must have been the result of some consideration that the framers of the Bill of 1854, in bringing forward a £6 franchise, proposed that the new class of voters should be subject to the restriction of two years' residence. My hon. and learned Friend contended that the municipal franchise had nothing to do with this question. But what was the object of Lord John Russell in proposing a three years' occupation with regard to the municipal franchise? The only object of that test of lengthened residence was to ascertain the fitness of the persons who vote at municipal elections. Is not that a precedent for what we propose? My hon. and learned Friend argued that the new voters should have the franchise on precisely the same terms as the present ones, or else that it should not be granted to them at all, and that there was something invidious in requiring a more lengthened residence. I cannot see why it should be viewed in such a light. The hon. Member for Birmingham (Mr. Bright) says that the existing law is clearly defined and generally known, and thinks it a thousand pities to depart from the principles of the Act of 1832. He predicts no end of difficulties and disputes in interpreting this clause. I cannot, however, conceive any difficulty in understanding it. It simply enfranchises any person who on the last day of July in any year, and during the whole of the preceding two years, shall have been the occupier of a house. The framers of the Bill of 1854 were of opinion that when the franchise was lowered to a considerable extent it was necessary to have a further test to determine the fitness of the voter. The Committee of the other House, whose Report has already been referred to, held it most desirable with regard to the municipal franchise to maintain a test, and that a stringent one, so as to give the suffrage to those who were fit to exercise it, and at the same time exclude those who could not satisfy the test. At the present time you have a law which is applicable to £10 householders, who have a right to vote under a particular franchise. You are now proposing to enfranchise a large number of persons on totally different grounds. You say to that body, you take the franchise under the conditions now proposed, and you shall all exercise it on the same terms. There are certain restrictions, but they are not imposed for the purpose of disqualifying but for the purpose of testing whether these persons are fit and proper to exercise the franchise.

MR. DENMAN said, that he looked upon this as a most vital occasion in the course of the Reform Bill. He only wished to utter a few sentences in answer to the remarks of his hon. and learned Friend the Solicitor General. His argument he regarded as a plausible argument for "trying it on;" but it went no farther. He objected to the proposal before the Committee on two grounds. First, the electors proposed to be enfranchised by the present Bill were men of like passions with themselves, and would feel injustice quite as keenly. He ventured, secondly, to prophesy that if this Bill were passed, making it necessary for a £9 householder to reside three years before being entitled to a vote, when a £10 householder might get his vote by a residence of two years the Bill would not settle the question for a single month, but would lead to a fearful agitation on the subject. If the Government adhered to their proposal, it would be the best card that they could play for the Liberal party, but he hoped that on this point the Government would be defeated. If the Opposition were defeated the defeat would be fatal to Gentlemen on the Treasury Bench as persons undertaking to settle the question of Reform.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 197; Noes 278: Majority 81.

Question proposed, "That the words 'twelve calendar months' be there inserted."—(*Mr. Ayrton.*)

AYES.

Adderley, rt. hon. C. B.
Anson, hon. Major
Archdall, Captain M.
Arkwright, R.
Bagge, Sir W.
Bagnall, C.
Bailey, Sir J. R.
Baillie, rt. hon. H. J.
Barnett, H.
Barrow, W. H.
Bateson, Sir T.
Beach, Sir M. H.
Beach, W. W. B.
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Bingham, Lord
Booth, Sir R. G.
Bourne, Colonel
Bowyer, Sir G.
Brett, W. B.
Brooks, R.
Bruce, Sir H. H.
Burrell, Sir P.
Campbell, A. H.
Capper, C.
Cave, rt. hon. S.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Conolly, T.
Cooper, E. H.
Corrance, F. S.
Corry, rt. hon. H. L.
Courtenay, Lord
Dalkeith, Earl of
Dick, F.
Dimsdale, R.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. Col.
Dunne, General
Du Pre, C. G.
Dyke, W. H.
Dyott, Colonel R.
Eaton, H. W.
Edwards, Sir H.
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Fane, Lt.-Col. H. H.

Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Floyer, J.
Forde, Colonel
Forester, rt. hon. Gen.
Freshfield, C. K.
Galway, Viscount
Garth, R.
Gilpin, Colonel
Goldney, G.
Goodson, J.
Gorst, J. E.
Graves, S. R.
Gray, Lieut.-Colonel
Grey, hon. T. de
Grosvenor, Earl
Hamilton, rt. hon. Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, rt. hon. G.
Hardy, J.
Harvey, R. B.
Hervey, Lord A. H. C.
Hay, Sir J. C. D.
Henley, rt. hon. J. W.
Henniker-Major, hon. J. M.
Herbert, hon. Col. P.
Hesketh, Sir T. G.
Hildyard, T. B. T.
Hogg, Lt.-Col. J. M.
Holford, R. S.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Huddleston, J. W.
Hunt, G. W.
Innes, A. C.
Jolliffe, hon. H. H.
Jones, D.
Karslake, Sir J. B.
Karslake, E. K.
Kavanagh, A.
Kekewich, S. T.
Kendall, N.
Kennard, R. W.
Ker, D. S.
King, J. K.
King, J. G.
Knight, F. W.
Knightley, Sir R.
Knox, hon. Colonel S.
Langton, W. G.
Lanyon, C.
Lascelles, hon. E. W.
Leader, N. P.
Lechmere, Sir E. A. H.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Lindsay, hon. Col. C.
Lindsay, Colonel R. L.
Lowe, rt. hon. R.
Lowther, J.
Mainwaring, T.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Marsh, M. H.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morris, G.
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
North, Colonel
Northcote, rt. hn. Sir S. H.
Packe, C. W.
Paget, R. H.
Pakington, rt. hn. Sir J.
Parker, Major W.
Patten, Colonel W.
Paull, H.
Peel, rt. hon. Gen.
Percy, Major-Gen. Lord H.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Rolt, Sir J.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Schreiber, C.
Sclater-Booth, G.
Scourfield, J. H.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, A.
Smith, S. G.
Smollett, P. B.
Somerset, Colonel
Stanhope, J. B.
Stanley, hon. F.
Stirling-Maxwell, Sir W.
Stopford, S. G.
Stronge, Sir J. M.
Stuart, Lt.-Col. W.
Sturt, H. G.
Sturt, Lieut.-Col. N.
Surtees, C. F.
Surtees, H. E.
Sykes, C.
Thorold, Sir J. H.
Thynne, Lord H. F.
Tottenham, Lt.-Col. C. G.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Turner, C.
Vance, J.
Verner, E. W.
Verner, Sir W.
Walcott, Admiral
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, A.
Waterhouse, S.
Whitmore, H.
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wyndham, hon. H.

TELLERS.

Taylor, Colonel T. E.
Noel, hon. G. J.

NOES.

Acland, T. D.
Adair, H. E.
Adam, W. P.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Amberley, Viscount
Andover, Viscount
Anstruther, Sir R.
Antrobus, E.
Armstrong, R.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Baring, hon. A. H.
Barnes, T.
Barry, A. H. S.
Bass, A.
Bass, M. T.
Bathurst, A. A.
Bazley, T.
Beaumont, H. F.
Beaumont, W. B.
Berkeley, hon. H. F.
Biddulph, Col. R. M.
Biddulph, M.
Blake, J. A.
Blennerhasset, Sir R.
Bonham-Carter, J.
Bouverie, rt. hn. E. P.
Brand, rt. hon. H.
Bright, J.
Briscoe, J. I.
Brocklehurst, J.
Brown, J.
Bruce, Lord C.
Bruce, Lord E.
Bruce, rt. hon. H. A.
Bryan, G. L.
Butler, C. S.
Buxton, Sir T. F.
Calcraft, J. H. M.
Calthorpe, hon. F. H. W. G.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hon. C. R.
Carnegie, hon. C.
Cave, T.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, M.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clay, J.
Clement, W. J.
Clive, G.
Cogan, rt. hn. W. H. F.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Colthurst, Sir G. C.
Corbally, M. E.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Cox, W. T.
Craufurd, E. H. J.
Crawford, R. W.
Cremorne, Lord
Crossley, Sir F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Dilke, Sir W.
Dillwyn, L. L.
Doulton, F.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunkellin, Lord
Eliot, Lord
Enfield, Viscount
Erskine, Vice-Ad. J. E.
Esmonde, J.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
FitzGerald, rt. hon. Lord O. A.
Fitzwilliam, hn. C. W. W.
Foley, H. W.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Fort, R.
Fortescue, rt. hon. C. S.
Fortescue, hon. D. F.
French, rt. hn. Colonel
Gallwey, Sir W. P.
Gaselee, Serjeant S.
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. C.
Glyn, G. G.
Goldsmid, Sir F. H.
Goldsmid, J.
Gooch, Sir D.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Graham, W.
Gray, Sir J.
Greenall, G.
Grenfell, H. R.
Grey, rt. hon. Sir G.
Gridley, Capt. H. G.
Grosvenor, Lord R.
Grosvenor, Capt. R. W.
Grove, T. F.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.
Hankey, T.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Hartley, J.
Hay, Lord J.
Hay, Lord W. M.
Hayter, Capt. A. D.
Headlam, rt. hon. T. E.
Henderson, J.

[*Committee—Clause* 3.

Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Holland, E.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Hughes, T.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Ingham, R.
Jackson, W.
James, E.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kennedy, T.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E
Labouchere, H.
Laing, S.
Laird, J.
Layard, A. H.
Lamont, J.
Lawrence, W.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Liddell, hon. H. G.
Lloyd, Sir T. D.
Locke, J.
Lusk, A.
MacEvoy, E.
Mackinnon, Capt. L. B.
M'Laren, D.
Maguire, J. F.
Marjoribanks, Sir D. C.
Marshall, W.
Merry, J.
Milbank, F. A.
Mill, J. S.
Miller, W.
Mills, J. R.
Milton, Viscount
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Moncreiff, rt. hon. J.
Morrison, W.
Murphy, N. D.
Neate, C.
Nicholson, W.
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
O'Donoghue, The
Ogilvy, Sir J.
Oliphant, L.
Osborne, R. B.
Otway, A. J.
Packe, Colonel
Padmore, R.
Palmer, Sir R.
Parry, T.
Pease, J. W.
Peel, A. W.
Peel, J.
Pelham, Lord
Peto, Sir S. M.
Philips, R. N.
Platt, J.
Portman, hn. W. H. B.
Potter, E.
Potter, T. B.
Powell, F. S.
Price, W. P.
Pryse, E. L.
Pritchard, J.
Rawlinson, Sir H.
Rearden, D. J.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Roebuck, J. A.
Rothschild, Baron L. de
Rothschild, Baron M. de
Russell, A.
Russell, H.
Russell, F. W.
Salomons, Alderman
Samuda, J. D'A.
Samuelson, B.
Scholefield, W.
Scrope, G. P.
Seely, C.
Seymour, A.
Seymour, H. D.
Sherriff, A. C.
Simeon, Sir J.
Smith, J.
Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stansfeld, J.
Steel, J.
Stone, W. H.
Stuart, Col. Crichton-
Stucley, Sir G. S.
Sykes, Col. W. H.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
Vanderbyl, P.
Verney, Sir H.
Villiers, rt. hn. C. P.
Vivian, Capt. hn. J. C. W.
Waldegrave-Leslie, hon. G.
Waring, C.
Warner, E.
Welby, W. E.
Western, Sir T. B.
Whalley, G. H.
Whitbread, S.
White, hon. Capt. C.
White, J.
Williamson, Sir H.
Woods, H.
Wyld, J.
Wyndham, hon. P.
Wynn, C. W. W.
Young, R.

TELLERS.

Ayrton, A. S.
King, hon. P. J. L.

THE CHANCELLOR OF THE EXCHEQUER: After the grave decision at which the Committee has arrived, it is not in my power, without consultation with my Colleagues, to proceed with the Bill. Therefore, I beg to move that the Chairman report Progress, and ask leave to sit again.

THE CHAIRMAN then put the Question for reporting Progress, when several loud cries of "No!" mingled with the "Ayes."

MR. GLADSTONE: Sir, I noticed that there were several voices from this side of the House in the negative to the Motion. It appears to me that the right hon. Gentleman, having declared that he thinks the decision at which the Committee has arrived requires consideration on his part and on that of his Colleagues, it is impossible for us to go on. Therefore, I certainly should say "Aye" to the Motion.

THE CHAIRMAN again put the Question for reporting Progress, which was then *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Monday next.*

CORRUPT PRACTICES AT ELECTIONS BILL—[BILL 119.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Mr. Hunt.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

SIR GEORGE GREY said, he did not wish to obstruct the progress of the Bill if it was to be discussed. The right hon. Gentleman the Chancellor of the Exchequer had stated that it was a point of honour that it should be brought in on a particular night. For himself, he thought the wish expressed early in the evening by the hon. Member (Mr. Darby Griffith) was a very reasonable one—namely, that some explanation should be given of the provisions of the measure, and that it should not pass through its stages merely as a matter of course. It had not been expected that it would come on at all that night. He did not object to the principle on which it was based, but there was a great deal in the Bill which showed that it had been drawn up hastily, inconsiderately, and without reference to the existing law of bribery, particularly as to the local inquiries which it was proposed should take place under it. He was not then about to enter into the question; but would only say, that if he agreed to the second reading he must reserve to himself the right of making any statement which he might think fit with regard to it on the Motion for going into Committee. The House, he thought, would not be treated quite fairly if a Bill of that importance was pressed on without some explanation of its provisions being given by the Government.

The CHANCELLOR of the EXCHEQUER said, he would not press the second reading against the feeling of the House; but he thought they might have taken the discussion on a subsequent stage. If the right hon. Gentleman objected to the second reading he would not persevere; but if the Bill were now read a second time they might have a general discussion on the question of the Motion for going into Committee.

Motion *agreed to*.

Bill read a second time, and *committed* for *Monday* next.

METROPOLIS GAS BILL—[Bill 45.]

(*Sir Stafford Northcote, Mr. Secretary Walpole, Lord John Manners.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [11th April], "That the Bill be read a second time upon Monday the 29th day of this instant April;" and which Amendment was, to leave out the words "Monday the 29th day of this instant April," in order to add the words "this day six months,"—(*Mr. Edward Craufurd,*) —instead thereof.

Question again proposed, "That the words 'Monday the 29th day of this instant April' stand part of the Question."

Debate *resumed.*

Mr. AYRTON said, he would suggest the adjournment of the discussion till Monday, when he thought a more satisfactory solution might be arrived at. It would be inconvenient now to discuss the Bill, and still more inconvenient to dispose of it without discussion. He moved the adjournment of the debate till Monday next.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Ayrton.*)

Mr. PAULL said, that the gas companies were extremely desirous that no further delay should take place in dealing with this question. He believed his right hon. Friend (Sir Stafford Northcote) had a statement to make which would greatly facilitate the settlement of the question.

Mr. J. GOLDSMID said, there was a strong opinion entertained against the Bill, and many who opposed it were not present, not thinking the Bill would come on. Hon. Gentlemen who opposed the measure were not aware of the arrangement with the gas companies, and under these circumstances he hoped the Bill would not now be proceeded with.

Sir STAFFORD NORTHCOTE said, he had no desire to proceed with the Bill against the feeling of the House; but he wished to take the opportunity of stating how the question at present stood. This was a Bill introduced by the Government as arbiters between the gas companies and the gas consumers of the metropolis. He might remind the House of the mode in which the question was raised last year. A Bill was introduced on the part of the City of London for the purpose of enabling the City to manufacture gas. That Bill was opposed by the gas companies, and was referred to a Select Committee, to which it was also referred to consider the operation of the Act of 1860, by which the gas companies of the metropolis are regulated. That Committee sat some time and produced a Report pointing out that the Act of 1860 had failed to secure to the consumers of gas those advantages and safeguards it was intended to provide, and recommending accordingly that an alteration should be made in it. The Government undertook to act as arbiters between the consumers and companies, and to introduce a Bill which might go before a Select Committee and settle the question. That Bill was prepared, and it had been matter of considerable discussion. Communications had passed between the Government and the companies, which were embodied in a paper before the House. Those communications had proceeded till to-day. Since the House met the Government had come to a final arrangement with the representatives of the gas companies of the metropolis — the parties affected by the Bill—that the companies would withdraw all opposition to the second reading on his making a statement to the House of the modifications he was prepared to introduce in the Bill. It was for the interest of all parties—certainly for the interest of the gas companies themselves as well as of the public—that if the Bill were to be discussed before a Select Committee no time should be lost. In consequence of a desire to settle this matter as far as possible out of doors, they had already lost the first half of the Session. A good deal of evidence must be taken, and if further delay took place, there might be difficulty in completing the investigation in time to legislate on the subject this Session. The parties really interested having come to an arrangement so far as to enable them to send the Bill before a Select Committee where the terms of arrangement would be finally settled, he did not see why the matter should be further postponed. A number of Gentlemen who did not represent gas companies in London, but water, railway, and gas companies in different parts of the country, had been urged by their constituents and others to oppose the Bill on the ground, as they called it, of principle. He denied that there was anything in this Bill that affected other companies. It was a Bill introduced for the purpose of arranging matters between gas companies and consumers in the metropolis. Let him remind the House what was the peculiar position of the gas companies in the metropolis. Their position was not like that of other companies, one of unlimited competition. They had, by the Act passed seven years ago, a monopoly accorded to them. That monopoly was attempted to be regulated; but Parliament not being very familiar with the subject did not succeed in giving the public all the protection which the Act purported to give. The question, then, was whether they should leave the companies in that position of unregulated monopoly; whether they would attempt to regulate it in a better manner than had hitherto been done; or whether they should attempt altogether to upset the arrangement of 1860, which, no doubt, many persons in the metropolis would be glad to do if no arrangement were made this year. The Government had undertaken this matter in no spirit of opposition to the gas companies of the metropolis, but in the spirit of the arrangement of 1860, for the purpose of introducing such further regulations as would make it work. But if they were to be met by an opposition of this character, which had been displayed by parties not connected with the gas companies of the metropolis, the Government could not proceed any further in the matter.

He was authorized, on the part of the gas companies, to state, and his hon. Friend (Mr. Adair) would confirm the statement, that they had agreed to withdraw their opposition to the second reading on his stating to the House that he proposed to modify the provisions relative to the Gas Works Clauses Act, 1847, which regulated the profits of gas companies throughout the kingdom, so as not to interfere with the appropriation of profits within the limits defined by the Act of 1860. He proposed also to omit the purchasing clauses. There were other modifications in the Bill, upon which he had been in communication with the companies, and the Bill would be referred to a Select Committee, with alterations in detail, which were referred to in the printed correspondence. He now made that statement. If the Bill was read a second time he would undertake on the part of the Government that Amendments of that character should be introduced; but if it was the feeling of the House that it was undesirable to proceed with the matter, he had no wish to do so. He could not, however, see any advantage in keeping the matter hanging over; it would be better to withdraw the Bill. The Government had assumed a thankless and disagreeable task when they undertook to decide in this matter. He had himself been dealt with rather harshly. He had received letters without numbers from clergymen and widows stating that the Bill would ruin them, would destroy all the foundations of property throughout the country, and that its provisions were infinitely more to the advantage of the consumers than of the companies. The gas companies themselves were not taking a wise course if they refused to go into a Select Committee and have the matter fairly discussed and evidence taken. If they wanted any arrangement, it must be on the principle that it afforded a satisfactory solution of the question. The petitioning resorted to of which they had, in this instance, the most extraordinary examples, was such that no Bill of any kind could possibly be proceeded with against an opposition of that character. It made a use of the privilege of petitioning which was unfair and not in the spirit of the Constitution. ["No, no!"] The persons who were conducting the opposition to this Bill had sent out circulars and forms of petition, which they requested might be signed by individuals and presented in a mass to that

House. Great numbers of persons had been induced to sign these petitions on the representation that their interests had been attacked, which was not the fact. Under these circumstances, the only course he could take in the matter was to regard a decision of the House in favour of adjourning the debate as a convenient mode by which the House expressed its opinion that the Bill should not be further proceeded with. [" No, no!"] It was impossible that this matter could be kept hanging over, day after day, the result of which would be that the Bill would be thrown over altogether, as it could not be got through the Select Committee in time to pass it into law during the present Session. He therefore should decline to proceed with the Bill in the event of the Motion for the adjournment of the debate being carried. The House must recollect that by permitting the Bill to be referred to a Select Committee they did not preclude themselves from discussing its details on a future occasion.

MR. MILNER GIBSON said, he thought the House should permit the Bill to be read a second time, seeing that the opposition of the gas companies had been got rid of. The petitions of which the right hon. Gentleman complained so bitterly had had the effect of inducing him to introduce important modifications into the Bill, and had enabled him to ask that the Bill should be read a second time. He scarcely thought the right hon. Gentleman would be entitled to construe an adverse vote on the Motion before the House as one which was fatal to the Bill, still he should vote against the adjournment of the debate.

MR. ADAIR said, he had to a certain extent conducted the negotiations between the right hon. Gentleman (Sir Stafford Northcote) and the gas companies on behalf of the latter. As he had stated on a previous evening, besides the question of details which the gas companies were perfectly willing to submit to the arbitration of a Committee, there was a much graver and larger question upon which they wished to obtain the opinion of the House—namely, the question which dealt with their dividends, which they believed were guaranteed to them by the deliberate Act of Parliament. The right hon. Gentleman, however, moved by the petitions which had been referred to, and by the representations that had been made to him, had agreed not to interfere with the dividends, and therefore the gas companies did not consider it necessary further to oppose the second reading of the Bill. The companies were perfectly willing that the remaining question should go before a Select Committee, who, while taking care of the interests of the public, would also protect the interests of those who had invested a vast amount of capital in these gigantic undertakings. With the reservation that their dividends as guaranteed by Parliament were not to be interfered with, the gas companies invited the fullest inquiry into the subject.

MR. AYRTON said, that after the intimation which had been given by the right hon. Gentleman (Sir Stafford Northcote), he should ask leave to withdraw his Motion for the adjournment of the debate.

COLONEL SYKES said, he did not hold a single share in a gas company; but he could not help observing that a more despotic Bill than that of the right hon. Gentleman as it originally stood had never been introduced into that House. It had proposed to confiscate the property of orphans and widows, and it was the duty of those threatened to petition against it. He was glad that the petitions of which the right hon. Gentleman complained had compelled him to modify his original intention upon the subject.

MR. ALDERMAN LUSK said, he thought that the Government had acted very fairly in this matter, in which they occupied the position of arbitrators between the public and the gas companies. He wished to bear testimony to the justice and discretion which had characterized the whole of the right hon. Baronet's (Sir Stafford Northcote) proceedings in the matter.

Motion, by leave, *withdrawn.*

MR. AYRTON said, he had to animadvert upon the conduct of the Government. There had been much communication between the late President of the Board of Trade (Sir Stafford Northcote) and the gas companies upon the matter, and it would appear that some arrangement had been come to by which it was settled that the Bill was to be read a second time. As a representative of the metropolis he begged to disclaim being bound by that agreement. They were no parties to it and could not be affected by it. As an arbiter between the gas companies and the metropolis, the right hon. Baronet seemed to have carried on the arbitration too much with a view to the interests of one party. He protested against the extraordinary illusions propagated by the proprietors of gas companies, who had talked about a confiscation of their rights, but they must remember that others had rights as well as themselves. While the gas companies were permitted to divide £10 per cent upon their capital, there was nothing in any Act of Parliament which precluded the local authorities of a borough from starting new gas companies on their own account, a course of proceeding which might speedily reduce existing companies to insolvency. If therefore the gas companies took their stand upon the mere question of right they would find themselves met by rights on the other side which would place them in a worse position than that contemplated by this Bill. The real question both for the gas companies and the inhabitants was whether they should have cheap gas by competition or by guaranteed monopolies. But even then it was a question whether the gas companies should have a guaranteed monopoly without anything being given in exchange. The course the right hon. Gentleman was taking seemed to amount to an abandonment of the interests of the metropolis in favour of the gas companies with whom the right hon. Gentleman had been in communication. The sooner, therefore, he withdrew from all responsibility in connection with this Bill the better for the interests of the inhabitants. He himself saw no necessity whatever for adopting so violent a course, and he had therefore suggested to the right hon. Gentleman the postponement of the debate until Monday next, because from what he had seen he thought there was a disposition on the part of the gas companies to appreciate the whole question, and to endeavour to arrive at a satisfactory solution. He did not oppose the second reading of the Bill as it was now framed; but he did object to any arrangement or understanding being arrived at which was to be binding upon the inhabitants of the metropolis, made without the sanction either of their representatives in the House or those to whom they had delegated authority outside. He thought that the right hon. Gentleman would still do wisely in postponing the second reading of the Bill, and he hoped that some course would yet be taken which would be more satisfactory than the one proposed by the right hon. Gentleman.

Mr. HUBBARD said, he was not surprised to find that the Government had brought in a Bill upon this subject. He thought that the competition of gas companies might very fairly be made the subject of regulation. But though it might be necessary to introduce a Bill to protect the interests of the public, he thought that the Government had granted protection in too many ways. He had no objection to the proposal of the Government to limit the price to be charged. That could be reviewed from time to time. But he could not see any necessity for limiting the amount of dividend to £10 per cent. Such a limitation would naturally have the effect of depriving the companies of all inducement to exercise economy in the management of their affairs. If those two matters could be reconciled, he saw no reason why the Bill should not be read a second time.

Mr. J. GOLDSMID said, he wished to call attention to a point of order. The Motion on the Paper was that the Bill be read a second time on "Monday the 29th of April." To that an Amendment was moved that the Bill be read that "day six months." The form of putting the Question would be "that the words proposed to be left out stand part of the Question;" but in case of that Motion being carried, as it certainly would be impossible to read the Bill a second time on Monday the 29th of April, it appeared to him that it would become a lapsed order.

Mr. HENLEY said, that this Bill introduced by the Government contained very strong provisions, to say the least of it. They were, however, told by the Government that these objectionable provisions, by some kind of negotiation which had been carried on outside the House, were to be got rid of when the Bill went into a Select Committee. But the House was placed in this mischievous position, that they were called on to affirm the principle of the Bill upon a kind of understanding that certain things were to be cut out of the Bill. This was not a desirable position for the House to be placed in. The subject was not an easy one. The House had created certain regulated monopolies with regard to the manufacture and sale of gas. These monopolies were regulated some six or seven years ago by some summary act of the Government, and now it appeared they were required to be re-regulated. If this were to be done, the Government should do it in its integrity. He thought that it would have been more just and satisfactory if the matter had gone pure and simple, as the phrase was, before the Committee, instead of the

Committee being hampered by the provisions of the Bill. It might be said in some sense that the House had affirmed the principle of the Bill; though he protested against being bound by it in any way. He thought the principles unjust, that they should lay down the maximum of dividend which should be obtained, and that when a company had been brought down to a certain position then other persons were to be allowed to buy them out upon terms created by the Bill. That was a proposal as strong as any that they had often been called upon to sanction. If they had gone to a division upon the second reading he should have voted against it. He thought it would be more consistent with their practice that the Bill should be withdrawn, and that the subject should go to a Select Committee. Then they would be in a fair position to deal justly with it.

MR. MORRISON said, he thought it unadvisable that too large a field of inquiry should be imposed upon the Committee at the present period of the Session. All political economists had objected to the 10 per cent regulation. He would suggest that the Committee should make certain alterations in the present law. Let the gas companies have the choice of submitting to the limitation of a 10 per cent dividend, or of endeavouring to increase their profits by improving their method of manufacture. They would then exercise economy in the management of their affairs, at the same time conferring increased advantages on the public. As a matter of fact, with the exception of the last year or two, almost all the gas companies had paid a dividend of 10 per cent. There was therefore no inducement which could lead to improved manufacture and increased economy, and, at the same time, cheaper rates for the public.

MR. KINNAIRD said, that the gas companies were desirous to have all questions affecting their interest and that of the public submitted to the Committee, as suggested by the right hon. Gentleman (Sir Stafford Northcote).

MR. SPEAKER: The hon. Member for Honiton (Mr. Goldsmid) has raised a question upon which it will be necessary for me to say a few words. The House will observe that the Question proposed is that this Bill be read a second time on Monday the 29th of April. As we have arrived at the 2nd of May, it is impossible to read the Bill on the 29th of April. That, indeed, would be beyond the power of even an Act of Parliament. The difficulty arose in this way. Late in the evening, when this question was last before the House, and when different Motions were being postponed, the right hon. Gentleman (Sir Stafford Northcote) who had charge of this Bill proposed to put it for the 29th of April, upon which the hon. Member for Ayr (Mr. Craufurd) moved that the Bill should be read that day six months instead of the 29th of April. I have before pointed out the inconvenience arising from Gentlemen violently interposing with the ordinary course of business in the House. Happily, it is an unusual thing, when a Member having charge of a Bill proposes, from the lateness of the hour, to postpone it, that another interposes and insists upon moving an Amendment to that simple proposal. However, that course was taken upon this occasion, the debate was adjourned, and the matter stands thus:—The original Motion is that the Bill be read a second time on the 29th of April; the Amendment proposes to substitute "this day six months" for the 29th of April; and the Question to be put is that the words proposed to be left out should stand part of the Question. As the hon. Member for Honiton observes, the House cannot properly negative the proposal to read the Bill upon this day six months, and permit the original words, the 29th of April, to stand as part of the Question. I therefore propose that the House get over the difficulty by negativing the Motion that the words proposed to be left out—namely, "the 29th of April," stand part of the Question. The Amendment, "this day six months," then becomes the original Motion. If the House negative that also, the Motion—which has not yet been put—that the Bill be now read the second time, can with propriety be put.

Amendment and Original Motion put, and *negatived.*

SIR STAFFORD NORTHCOTE said, he moved that the Bill be now read a second time. What he proposed in regard to the measure was, of course, not intended to bind the Members for the metropolis or any other parties. In referring the Bill to a Select Committee an opportunity would be afforded to all parties interested in the matter to introduce Amendments. He, however, only bound himself to the Government proposal. In reply to the observation of the right hon. Gentleman (Mr. Henley), to the effect that the Government ought not to interpose in this summary way, and that it was better the matter should go independently before the Select Committee, he would remind his right hon. Friend that the subject did go last year before a Committee, and it was in consequence of the Report of that Committee that the present measure was introduced by the Government. It was framed as nearly as possible in accordance with its recommendations. As the gas companies had said that their case had not been fully heard before the Committee referred to, it had been proposed to them that a Bill founded as nearly as possible on the recommendations of the Committee should be introduced, and the gas companies could then have an opportunity of securing a satisfactory completion of their case. With respect to the impression current on the subject of dividend, he assured the House that the intention of the Government was simply to permit the gas companies to increase their dividends in proportion as they decreased the price in gas. This proposal he thought would offer an inducement to the gas companies to be economical, and lead to the benefit of the public, whereas now the companies had no such inducement when they had once reached the maximum dividend. The gas companies had objected that the Government had fixed too low a rate of dividend to commence with. The Government had accordingly consented to let £10 per cent instead of £7 per cent stand as the maximum of dividend, without corresponding decrease of price. To use a somewhat famous phrase, they had no wish to draw a "hard and fast line" at 10 per cent with respect to the dividend, but to make the 10 per cent the starting point, and fix the dividends on a sliding scale in accordance with the reduced price of gas. Those, however, were questions for the Committee to which the Bill was to be submitted. He denied that there was the slightest intention on the part of the Government to confiscate the property of the gas companies.

MR. AYRTON said, he wished it to be understood that no arrangement was made by the inhabitants, the local authorities, or the representatives of the metropolis in the House. They entirely repudiated the whole matter, and as far as he knew they would be entirely dissatisfied with what was proposed.

Motion *agreed to*.

Bill read a second time.

Sir Stafford Northcote

Motion made, and Question proposed, "That the Bill be committed to a Select Committee.—(*Sir Stafford Northcote.*)

MR. BONHAM-CARTER said, he wished to propose that the Bill should pass merely *pro formâ* through the Committee, in order that the alterations of the Government should be inserted before the Bill was referred to a Select Committee.

MR. AYRTON said, he wished to suggest that the Select Committee should consist of ten Members—five to be nominated by the House and five by the Committee of Selection.

SIR STAFFORD NORTHCOTE said, he was not aware whether the forms of the House would permit that.

MR. PAULL said, he thought it would be undesirable that the right hon. Gentleman should pledge himself to the number of the Select Committee. The Bill had better be referred to a Select Committee of five rather, than ten.

MR. ALDERMAN LUSK said, the Bill should be sent in its present form to the Select Committee for them to deal with it as they thought best.

MR. GOLDSMID said, it would be better to commit the Bill *pro formâ*, and refer it with the Amendments to the Select Committee.

MR. POWELL said, he hoped the Bill would be committed *pro formâ*, and reprinted with the Amendments. Much anxiety was felt in the country with reference to the principle of the Bill.

MR. ADAIR said, he agreed with the suggestion that the Bill should be committed *pro formâ*, and reprinted with the Amendments before being sent to the Select Committee. The Metropolitan Gas Bill of 1860 was sent to a Select Committee of five Members, and he thought the House would exercise a wise discretion in following that precedent. A Select Committee of five would be most satisfactory to the House and those whose interests were concerned. The Committee should be moved by the Committee of Selection.

MR. SERJEANT GASELEE said, the Committee should consist of ten Members, and care should be taken that they were not shareholders in, or directors of, gas companies.

SIR STAFFORD NORTHCOTE said, that in deference to the opinion of the House, he would commit the Bill *pro formâ*, and introduce the Amendments.

Motion, by leave, *withdrawn*.

Bill *committed, considered* in Committee, and *reported;* as amended, to be considered *To-morrow,* and to be *printed.* [Bill 129.]

PUBLIC HEALTH (SCOTLAND) BILL.

(*Sir Graham Montgomery, Mr. Secretary Walpole, Mr. Hunt.*)

[BILL 89.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Graham Montgomery.*)

MR. M'LAREN: The Bill now before the House is one of considerable importance to the people of Scotland, and there has not yet been sufficient time to consider the whole of its provisions. At the same time, looking at the opportunity which exists to-night of reading the Bill a second time, I am unwilling to divide the House on the subject. I think it right to state that there are very serious objections to the principle of the Bill, in two points in particular. The first is the clauses which refer to the powers to be given to the General Board of Supervision in Scotland to rule over all the towns and parishes in a manner altogether beyond its province. If the Bill passes in its present form, there is not a large town in Scotland which will not be regulated by this Board. From Edinburgh they can send down one of their own number, or they may send one, two, or three professional gentlemen, including advocates, engineers, physicians, and architects, all at the expense of the Treasury, to examine and report respecting the sanitary condition of any town or parish in Scotland. I should like to know from the Secretary of the Treasury, before this Bill is finally disposed of, whether any estimate has been made of the probable expense which this will entail on the Treasury. Great power is also given to the Board to appoint officers of all kinds, not being members of the Board, such as members of the Faculty of Advocates, medical men, surveyors, engineers, or architects, to act as Commissioners. They can send these gentlemen down into the country for a period not exceeding forty days, and at the expiration of this period these gentlemen go to the Treasury in London, where they are paid as the Treasury may determine. It is a system contrary to the legislation of the last twenty years, to place all the towns and parishes of Scotland under this Board in Edinburgh. The Board is also an irresponsible one, not liable to be called to account in Parliament for any of its acts. It will have far more power in Scotland than the Secretary of State for the Home Department has in analogous cases in England. I have grave doubts whether it would be right to sanction such a proposal. The whole scheme will involve a large expenditure of the public funds for purposes which are not at all necessary. Then, I object to the principle of the assessment. An assessment is to be made for works of drainage and a variety of other things; and it is provided that, wherever manufactories and farmhouses are assessed under this Act, they shall only be assessed at a quarter of their actual rent, while all other houses, shops, and buildings are to be assessed at their full rent. It comes to this, that, supposing an assessment of 2*s.* in the pound made for the proposed carrying out of certain drainage works, farmhouses and manufactories will be assessed at the rate of 6*d.* in the pound, while all other buildings and houses will have to pay at the rate of 2*s.* This is a principle altogether unjust, and should not receive the sanction of this House. It is a well-known fact that certain manufactories, such as distilleries and dye-works, are in many cases the cause of nuisances, and expensive drainage works have to be constructed to free houses from the effects of their evil doings. For these reasons, I wish to be held as not committing myself to an approval of the principle of the Bill, and to be at liberty in Committee to move the rejection of any of the objectionable clauses.

COLONEL SYKES: I should be glad if the Government would postpone the second reading of this Bill. I have not yet had an opportunity of fully communicating with my constituents, who, I believe, will be affected considerably by it.

SIR GRAHAM MONTGOMERY: I hope that the House will allow the Bill to be read a second time to-night, because the points which have been touched upon can fairly be dealt with when we get into Committee upon it. As to the question of expense, it is a common thing for the Treasury to have the regulation of the expenses to be incurred by Boards, and the only actual sum this Bill will create will be salaries of three sheriffs, at £50 a year.

SIR EDWARD COLEBROOKE: I hope the hon. Baronet will give us an assurance, when this Bill is again brought forward, that ample notice of the fact will be conveyed to the Scotch Members beforehand. There is a great desire to give certain powers to this Board; but it is a question whether they ought to have those powers extended so far as at present proposed. It would be premature to enter into a discussion now, and I shall not object to the second reading to-night, on the understanding that the full discussion is taken on a future occasion.

MR. GRAHAM: I have no wish to oppose the second reading of the Bill, as, no doubt, it will be of valuable service to the smaller communities of Scotland. But, at the same time, on behalf of the large communities, I think the powers which are asked for on behalf of the Board are too large. There will be an irresponsible expenditure, and in Committee this and other matters will have to be altered.

MR. WALPOLE: Ample notice shall be given prior to the next stage of the Bill.

MR. FORDYCE: I am in favour of the Bill, though, at the same time, I am aware that, as regards the large Scotch towns, there is an opposition to it. In fact, only this afternoon I received a telegram from Aberdeen, asking me to co-operate with the hon. and gallant Member for that city in regard to some of the provisions of the Bill.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

FACTORY ACTS EXTENSION BILL.

Order for Committee read, and *discharged*:—Bill *committed* to a Select Committee.

HOURS OF LABOUR REGULATION BILL.

Order for Committee read, and *discharged*:—Bill *committed* to a Select Committee.

Ordered, That the Select Committee on the Factory Acts Extension Bill and the Hours of Labour Regulation Bill do consist of seventeen Members.

And, on May 10, Select Committee *nominated* as follows:—Lord JOHN MANNERS, Mr. ADDERLEY, Mr. POWELL, Mr. HARTLEY, Mr. AUSTIN BRUCE, Mr. WHITBREAD, Mr. EDMUND POTTER, Mr. FAWCETT, Mr. BAGNALL, Mr. WILBRAHAM EGERTON, Mr. FREDERICK STANLEY, Sir WILLIAM STIRLING-MAXWELL, Mr. BRIGHT, Mr. MOFFATT, Mr. AKROYD, Mr. BAXTER, and Sir FREDERICK HEYGATE:—Five to be the quorum.

And, on May 14, Mr. J. B. Smith *added*; May 15, Mr. Samuelson *added*.

Sir Edward Colebrooke

BRITISH SPIRITS BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to allow warehoused British Spirits to be bottled for home consumption.

Resolution *reported*:—Bill *ordered* to be brought in by Mr. DODSON, Mr. HUNT, and Mr. CHANCELLOR of the EXCHEQUER.

House adjourned at Nine o'clock.

HOUSE OF LORDS,

Friday, May 3, 1867.

MINUTES.]—PUBLIC BILLS—*Second Reading*—British White Herring Fishery* (80); Petty Sessions (Ireland) Act (1851) Amendment* (78).
Committee—Religious, &c. Buildings (Sites)* (68).
Royal Assent—Lyon King of Arms (Scotland) [30 *Vict.* c. 17]; Oyster Fisheries [30 *Vict.* c. 18].

PRIVATE BILLS.

On the Motion of The CHAIRMAN OF COMMITTEES—

Ordered, That no Private Bill brought from the House of Commons shall be read a Second Time after *Tuesday*, the 18*th Day of June* next:

That no Bill confirming any Provisional Order of the Board of Health, or authorizing any Inclosure of Lands under special Report of the Inclosure Commissioners for England and Wales, or for confirming any Scheme of the Charity Commissioners for England and Wales, shall be read a Second Time after *Friday* the 21*st Day of June* next:

That no Bill confirming any Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, shall be read a Second Time after *Friday* the 21*st Day of June* next:

That when a Bill shall have passed this House with Amendments, these Orders shall not apply to any new Bill sent up from the House of Commons which the Chairman of Committees shall report to the House is substantially the same as the Bill so amended.

House adjourned at half past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, *May* 3, 1867.

MINUTES.]—Public Bills—*Ordered*—Meetings in Royal Parks.

First Reading—Pier and Harbour Orders Confirmation* [130]; Meetings in Royal Parks [134]; British Spirits* [135].

Committee — Bankruptcy * [74]; Judgment Debtors* [75]; Bankruptcy Acts Repeal* [76]; Land Drainage Supplemental* [123].

Report — Bankruptcy * [74 & 131]; Judgment Debtors* [75 & 132]; Bankruptcy Acts Repeal* [133]; Land Drainage Supplemental* [123].

Third Reading — Local Government Supplemental* [121], and *passed*.

IRELAND—FENIANISM.—PETITION.

Mr. BRIGHT: Sir, I rise to present a petition to the House which is of a very peculiar character, and if the House will give me their attention I will state its purport. It is signed by twelve or thirteen gentlemen, who are well known to many Members of this House, and who are persons of first-class education and in good position. The petition has reference to the state of things in Ireland. It begins by condemning secret associations, and the violence which has followed, and expresses a hope that order may be restored to Ireland by the judicious use of power by the English Government. It states that the petitioners remember that the history of Ireland has been the history, first, of imperfect conquest and long neglect; next, of war and the dispossession of the Irish people; then of legal injustice and harsh repression of the disturbances caused by the said injustice. They go on to state their disapprobation of certain things which exist in Ireland at this moment, as, for example, the Irish Church Establishment and the enforcement of a system of land law at variance with the traditions and feelings of the Irish people. They declare that the Government of Ireland is a Government in the interest, not of Ireland, but of the State Church and the territorial aristocracy of England; that by the present distribution of political power the Irish nation is unable to make its wishes adequately felt by the stronger country to which it is bound; that in consequence of the apparent hopelessness of a remedy for the evils which press upon their country——

Mr. BAILLIE COCHRANE: I rise to order. I wish, Sir, to know whether the hon. Gentleman is entitled to make a speech on the Irish question under colour of presenting a petition?

Mr. SPEAKER: The hon. Member is in order. He states that the petition contains such and such allegations. In doing so he is perfectly in order.

Mr. BRIGHT: They state that in consequence of the apparent hopelessness of a remedy for the evils which press upon their country, honourable Irishmen may, however erroneously, feel justified in resorting to force—that, in a word, there is a legitimate ground for the chronic discontent of which Fenianism is the expression; and therefore some palliation for the errors of Fenianism—

Mr. DARBY GRIFFITH: I rise to order. I think, Sir, you decided some short time ago that an hon. Gentleman who attributed a participation in the opinions of Fenians to Gentlemen in this House was out of order. I therefore ask you, Sir, whether the hon. Member is in order in giving currency to a petition and taking advantage of the privileges of the House to read at length a petition which, in fact, justifies Fenianism, which has been condemned by judicial authority and by the highest authority in this House—namely, Sir, yourself.

Mr. SPEAKER: The other day, when a Member of this House stated that other Members of the House were Fenians or approvers of Fenianism, I made the observations I then used with regard to one Member of the House attributing such opinions to other Members of the House; but I did not undertake or pretend to prescribe exactly what the language of a petition should be.

Mr. BRIGHT: I will now read the prayer of the petition—

> "Your Petitioners, therefore, pray your honourable House that it may take such measures as it shall judge fit, Firstly, To secure the revision of the sentences already passed on Fenians, sentences of great, and in the judgment of your Petitioners generally, excessive and irritating severity."

I ought to state that this refers to the sentences not of this week, but to those passed previously.

> "Secondly, To provide in any case that prisoners suffering as Fenians or for a political offence shall not during the execution of their sentence be confined in common with prisoners suffering for offences against the ordinary criminal laws of their country. Thirdly, Your Petitioners, justly alarmed by their recollection of the atrocities perpetrated by the English troops in Ireland in

1798, as also by their recollection of the conduct of the English army and its officers in India and Jamaica; lastly, by the suggestions of the public press and the general tone of the wealthy classes with regard to the suppression of rebellion, pray your honourable House to provide that the utmost moderation and strict adherence to the laws of fair and humane warfare may be inculcated on the army now serving in Ireland. Lastly, Your Petitioners pray that the prisoners taken may be well treated before trial, and judged and sentenced with as much leniency as is consistent with the preservation of order, and that in the punishments awarded there may be none of a degrading nature, as said punishment seem to your Petitioners inapplicable to men whose cause and whose offence are alike free from dishonour"——

COLONEL STUART KNOX: I rise to order. I beg, Sir, to ask whether the hon. Member is in order now?

MR. SPEAKER: The hon. Member is entitled, in presenting a petition, to read the prayer of that petition.

COLONEL STUART KNOX: Whether loyal or disloyal?

MR. BRIGHT: "However misguided they may be as to the special end they have in view, or as to the means they have adopted to attain that end." The signatures, perhaps, I may read—

"Richard Congreve, Southfields, Wandsworth; E. Truelove, 256, Holborn; Edward Spencer Beesly, University Hall, Gordon Square; Frederick Harrison, Lincoln's Inn; T. H. Bridges, Bradford, Yorkshire; H. Crompton, 23, Westbourne Terrace; S. H. Reynolds, Brasenose College, Oxford; C. A. Cookson, Inner Temple; F. B. Barton, 29, Lamb's Conduit Street; John Maughan, 1, Pleasant Row, Canonbury; S. D. Williams, jun., Birmingham."

In the general spirit of that petition I entirely agree.

MR. SPEAKER: The question is that the petition lie on the table.

COLONEL STUART KNOX: I beg to move that this petition be not allowed to be laid upon the table of the House.

MR. PEEL DAWSON: I beg to second that Motion.

MR. NEWDEGATE: I oppose the Motion of the hon. and gallant Member, because I see nothing disrespectful to the House in the language of the petition. However we may reprobate the undertaking for which these men are now under trial, still, I think, that when a petition of this kind is brought before this House, praying for a fair trial, and for fair consideration by the prisoners or their friends, it would be most unbecoming of the dignity of the House and most impolitic for us to reject it.

MR. WHALLEY: Sir, there is one paragraph in the petition to which I should wish to call attention, as I think it is worthy of the consideration of the House whether it does not of itself justify the Motion that has been made. That paragraph asks that the troops shall be directed to conduct themselves according to the laws of fair and humane warfare. I would ask the House to bear in mind what I have established, or have offered to establish—namely, that the late Fenian movement had a deliberate purpose. This was that the Fenians should act in connection with the like party in America, so as to afford grounds for demanding from the President of the American Union a declaration that the Fenians were a belligerent Power. In this case, I am enabled to state upon undoubted authority, very large sums are ready to be embarked in the enterprize of sending out privateers. If the House accepts this petition to which their attention is thus formally called, in which our troops are described as being engaged in a state of warfare, instead of in putting down a lot of freebooters and scoundrels of every kind—indeed, every origin except the real one has been attributed to them—I ask whether this fact will not be of very material importance in any future communication which the brethren of these Fenians may think fit to make to the President of the United States.

MR. ESMONDE said, he trusted that the hon. and gallant Member would withdraw his Motion.

MR. SPEAKER said, that the only Motion before the House was that the petition do lie upon the table. If any hon. Member objected to that Motion he might vote against it.

MR. ESMONDE hoped that the hon. and gallant Member would not divide the House. He was as much opposed to Fenianism as was the hon. Member; but he thought that to reject this petition would be particularly unfortunate at the present time. It would be playing into the hands of the friends of Fenianism, and would give force to their endeavours to persuade the people that there was no use in resorting to Parliamentary action in behalf of Ireland, because this House would turn a deaf ear to their complaints. The hon. Member for Honiton (Mr. Baillie Cochrane), who had raised this question, had been previously known as an admirer of tornadoes; but in this instance he had only raised a storm in a teapot.

COLONEL STUART KNOX said, that his object having been attained in thus formally drawing the attention of the House to the fact of the petition which had been presented to them being a disloyal one, he would not divide the House upon the question.

Motion *agreed to*.

Petition to lie upon the Table.

IRELAND—MOUNTJOY CONVICT PRISON.—QUESTION.

MR. BLAKE said, he rose to ask the Chief Secretary for Ireland, Whether, in consequence of the Report of the Medical Officer of the Mountjoy Convict Prison, that the prisoners confined there under the Habeas Corpus Suspension Act were suffering in health from the discipline they were subjected to, and were likely to suffer still more if the prison rules continued to be enforced to the same extent, it was the intention of the Government to direct that the untried political prisoners should be treated in a less severe manner than they have been hitherto?

LORD NAAS: Sir, in answer to the Question of the hon. Member, I have to state that on the 24th of February last a Report was presented to me which had been made by the medical officer of Mountjoy Convict Prison with reference to the health of the untried prisoners. The greater portion of that Report has been already published in the Annual Report of the Inspectors of Public Prisons, and I have no doubt but that that Report contains the statements referred to by the hon. Member. It is there stated that, in the opinion of the medical officer of the prison, the continued confinement of untried prisoners had tended to operate injuriously upon their health. Immediately upon receiving that Report I ordered inquiries to be made, and the next day directions were given that certain relaxations of the prison rules should be made in favour of those persons. The relaxation of the rules amounted to this, that the time allowed for exercise was doubled, the prisoners were allowed to smoke during the time they were taking their exercise, and they were allowed to walk with a companion. When I was in Dublin the other day, I made it my business to inquire what had been the effect of this relaxation in the prison discipline on the health of the prisoners. I had a long conversation with the medical officer of the prison, and I requested him to make a Report upon this subject. On the 26th of April I received the following Report from that gentleman:—

"With reference to the health of the untried political prisoners at present confined in this prison, I can report favourably. I have stated in my annual Report for 1866 'that all serious cases of illness among prisoners of this class were reported to the Government, and have been discharged from prison upon it being understood that confinement was likely really to aggravate their disease.' There is not at present a single case requiring treatment in the hospital. With reference to the dietary of these prisoners, they are permitted to obtain their own food from without if they please, but for those who do not do so the scale of prison dietary is tolerably liberal and varied, and during the cold weather additional blankets were distributed at my suggestion, so that I met with no complaints of cold from insufficient clothing. The prisoners are now daily in association with each other during their hours of exercise, and are permitted to smoke—a privilege greatly valued. Considering the construction of this prison, and the kind of discipline which is in some degree inseparable from that, prisoners of this class cannot be in association except when at exercise. As the days get longer and the weather milder, I would suggest that all those who desire it should be allowed two periods of exercise (in the forenoon and afternoon), during which time they would be in association with each other. The untried prisoners are allowed books as well from the library of the prison as sent by their friends. Those of them therefore who are capable of enjoying it have intellectual occupation.

"ROBERT M'DONNELL.

"Mountjoy Prison, April 26, 1867."

The further recommendations contained in this Report have been carried into effect as far as is compatible with the safe custody of the prisoners and the maintenance of the prison discipline.

IRELAND—THE IRISH LAND BILL.

QUESTIONS.

MR. MAGUIRE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is the intention of the Government to allow the Adjourned Debate on the Irish Land Bill to stand for the first business on the evening of Monday the 13th of May?

THE CHANCELLOR OF THE EXCHEQUER: As far as I can form an opinion at present, I do not think this Bill will stand for the first business on Monday the 13th instant.

MR. MAGUIRE said, he would beg to ask, if the right hon. Gentleman could say what day the Government would fix to proceed with the Bill?

THE CHANCELLOR OF THE EXCHEQUER: I cannot at present give the hon. Gentleman the information he desires.

MR. MAGUIRE said, he wished to know, whether it is the intention of Her Majesty's Government to proceed with the Bill during the present Session?

THE CHANCELLOR OF THE EXCHEQUER: If it were not the intention of Her Majesty's Government to proceed with the Bill this Session, they would not have introduced it.

MR. MAGUIRE said, he must again beg to ask, what day Her Majesty's Government will appoint to proceed with the Adjourned Debate upon the Bill?

THE CHANCELLOR OF THE EXCHEQUER: If the hon. Gentleman ever has the fortune to conduct the business of this House, he will feel that he has made an appeal to me to which it is impossible to reply.

ROYAL COMMISSION ON RAILWAYS.

QUESTION.

MR. BLAKE said, he wished to ask the Vice President of the Board of Trade, If he can state when the Report of the Royal Commission on Railways, which was promised two months since, will be issued?

MR. STEPHEN CAVE replied, that the signatures would be attached to the Report on Monday next, and that when that was done the Report would be sent to the Home Office.

PROPOSED REFORM MEETING IN HYDE PARK—RESOLUTION OF THE REFORM LEAGUE.—QUESTION.

SIR CHARLES RUSSELL said, he rose for the purpose of asking the Secretary of State for the Home Department, Whether his attention has been called to a resolution passed at a meeting of the Reform League held in the Sussex Hall last night, by which it was determined (after the reading of the Government Proclamation, prohibiting the meeting announced for Monday next in Hyde Park) "that such meeting be held as publicly notified;" whether, in the event of such meeting taking place, the Vice Presidents as well as the President will be held liable for a deliberate infraction of the Law; and, whether the Home Secretary has received, in common with other Members of the House, a list of the members of the Reform League in which the names of Thomas Hughes, Esquire, M.P., Thomas Bayley Potter, Esquire, M.P., P. A. Taylor, Esquire, M.P., and The O'Donoghue, M.P., are published as purporting to be Vice Presidents of the Reform League? He begged to apologize to the hon. Member for Finsbury (Mr. M'Cullagh Torrens), whom he saw in his place, on the circumstance of his name being omitted from the list of hon. Members who were Vice Presidents of the League on the Notice Paper. He could assure the hon. Gentleman that the omission was unintentional.

MR. WALPOLE: Sir, in answer to the first Question of the hon. and gallant Gentleman, I may say that my attention has been called to the resolution to which he refers. In answer to his third Question, I am not aware that I have received any such list; but I believe that in the list of the Vice Presidents of the Reform League the names of the hon. Members to whom the hon. and gallant Gentleman refers are included. With regard to the second Question I have to state that, considering the position which those Vice Presidents hold in this House and in society, I cannot conceive that they will be identified with any attempt to resist the authorities of the land or deliberately to infringe the law of the country.

PROPOSED REFORM MEETING IN HYDE PARK—SWEARING IN OF SPECIAL CONSTABLES.—QUESTION.

MR. R. J. HARVEY said, he would beg to ask the Secretary of State for the Home Department, If any facilities will be given to meet the general desire on the part of the tradespeople and others residing in the western parishes of London to be sworn in as Special Constables for the preservation of the peace for Monday the 6th May? He understood that a very large number of persons desired to be sworn in, but some difficulties seemed to stand in the way.

MR. WALPOLE: In answer, Sir, to my hon. Friend, and especially in reference to the last part of his Question, I beg to state, not only that I hear that a very large number of persons are anxious to be sworn in as special constables, but ten minutes before I came down to the House I received a Memorial on the subject, signed by 6,000 persons, many of whom, indeed most of whom, are working men; and I am also informed that that Memorial is still in course of signature, and I am told that by eleven o'clock to-morrow morning 4,000 more names will be added to the document, which deprecates the intention of those who have called the meeting in Hyde Park. With respect to the other portion of the Question, I am happy to inform my hon. Friend that in consequence of the applications made to me I have communicated with the vestries in the different parishes contiguous to Hyde Park, or where the police would necessarily be withdrawn to preserve the public peace, offering them every facility for persons to be sworn in as special constables to preserve the public peace.

LORD EUSTACE CECIL said, he would beg to ask if the right hon. Gentleman has communicated with the Middlesex magistrates on the subject?

MR. WALPOLE: I do not think I have had any communication with the magistrates of Middlesex hitherto.

MR. BRIGHT: Sir, I wish to ask the right hon. Gentleman a Question, which is this—Whether it is not the custom before proceedings are taken to swear in special constables, that there should be depositions as to the probability of a breach of the peace being about to be committed? It does not follow that because a public meeting is to be held, therefore there will be a breach of the peace. In this country we are accustomed to great meetings, and this alarm is preposterous and absurd—and I hope the right hon. Gentleman will not do anything. ["Order, order!"] If the House wishes to debate the question now I will do so; but what I was merely going to remark was, that I do not wish the right hon. Gentleman to commit himself to any course.

MR. WALPOLE: In answer to a Question put to me by an hon. Friend just now I stated that, in consequence of numerous applications which had been made to me, facilities would be offered to persons wishing to be sworn in as special constables in their respective parishes. The law upon the subject is that where there is a riot, tumult, or felony, or where a riot, tumult, or felony is apprehended, upon information of the fact being laid before a magistrate, special constables may be sworn in for the preservation of the peace. Nothing will, of course, be done contrary to the law.

MR. BRIGHT: May I ask the right hon. Gentleman whether it is intended that these special constables should in the slightest degree interfere with the peaceful entrance of any persons to the Park; or whether they will be expected to take any part in dispersing the meeting; or whether it is merely intended that, if there should be tumult, then that they should assist in quelling it.

MR. WALPOLE: There need be no apprehension of any special constables being employed for the purpose of preventing persons from entering the Park, or, as the hon. Member calls it, of dispersing the meeting. They will merely be there to assist the authorities in case the public peace should be broken.

MR. BRIGHT: I should like to ask the right hon. Gentleman whether the special constables will be drawn up in the Park to make a show of force in opposition to the meeting? I ask this, because I am sure the right hon. Gentleman would do nothing to provoke a breach of the peace. I wish to ask whether the force of special constables is to be drawn up in the Park; and, if so, whether in an attitude of defiance or provocation to the meeting?

MR. WALPOLE: No such thing is in contemplation.

MR. WHALLEY said, he wished to ask the right hon. Gentleman, whether, with respect to the Proclamation, the reason of its warning was simply with reference to probable interference with the ordinary use of the Park; and, whether he has obtained further information subsequent to the issue of the Proclamation affording other reasons for putting a stop to the meeting?

MR. WALPOLE: I may first of all remark, in answer to the question of the hon. Gentleman, that no Proclamation has been issued. What has been published is a notice signed by the Secretary of State. I am continually receiving further information with regard to the proposed meeting; but the notice which I issued was simply one warning persons not to attend a meeting which is prohibited by law.

COLONEL STUART KNOX said, that as the hon. Member for Birmingham (Mr. Bright) had spoken of "the meeting" in a manner calculated to convey the impression that it had been decided upon holding it, he would ask the hon. Member whether he was authorized by the Reform League to state that fact to the House?

MR. BRIGHT: I beg to inform the hon. and gallant Gentleman that I am not on the Council of the Reform League, and that I am not a member of that body.

INDIA—OFFICERS OF THE LATE INDIAN ARMY.—QUESTION.

MAJOR JERVIS said, he would beg to ask the Secretary of State for India, Whether he has approved of the Minute of the Governor General in Council limiting the consideration of the claims of Officers of the late Indian Army, in respect of monies subscribed by them for the purpose of stimulating promotion, to such sums as they may have paid in the rank held by them in 1861?

SIR STAFFORD NORTHCOTE said, in reply, that a despatch had been received, and would shortly be laid on the table, which would at once answer the hon. and gallant Member's Question, and render unnecessary the Motion of which he had given notice, as it would show that the Indian Council meant to adhere to Lord Cranbourne's letter of the 8th of August.

REPRESENTATION OF THE PEOPLE BILL—CLAUSE 3—COMPOUND HOUSEHOLDERS.—QUESTION.

MR. W. E. FORSTER said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he will, before proceeding with the consideration of the 3rd Clause of the Representation of the People Bill in Committee, lay upon the table of the House the Amendment which he had promised to introduce, in order to remove the ambiguity which he acknowledged to exist in the Clause as at present worded? He would also beg to ask the right hon. Gentleman, if he has any objection to stating at once the nature of the intended Amendment?

THE CHANCELLOR OF THE EXCHEQUER: As I propose to address the House on the Order of the Day being read, it would be more convenient for me to answer the Question of the hon. Member upon that occasion.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

REPRESENTATION OF THE PEOPLE BILL—CLAUSE 3—RESIDENCE.

MINISTERIAL STATEMENT.

THE CHANCELLOR OF THE EXCHEQUER: I wish to refer to the division which took place last night on the question of residence in the 3rd clause of the Bill for the Amendment of the Representation of the People. I regret myself, and I believe there are others who regret, that the discussion upon that question, which I think was an important one, was of so brief a character and of rather a hurried description. These are contingencies, however, which are incident to our form of government, and we must take them as we find them. I thought at the time and rather regretted to observe that misconception prevailed not merely on one side of the House with regard to the character of the qualification as to residence. It was argued generally on what I may call the numerical consideration. On one side, as if its only object was to restrict the number of voters that might under the clause be admitted by the Bill; and, on the other, as if its merits depended upon and consisted of that possible result. I must say that is not the view I have taken of this qualification. Certainly it is not with a view of restricting numbers, or the contrary, that I should propose or support such a qualification. The merit, I think, of this qualification of residence depends upon the principle, not of numbers, but of locality. The great object is to secure that the voter should possess a real interest in the locality with which he is connected. That, I think, is a sound principle, and one that ought not to be lost sight of. However, the House was of opinion that that security for the connection with the locality was unnecessarily large. I have brought the matter under the consideration of my Colleagues, who have deliberated upon this and other points connected with the Bill. Although they regret that the principle of local connection has not been enforced so much as they desired, still, upon due deliberation, they have not thought it inconsistent with their duty to defer to the opinion of the House. Their object has been to establish a borough franchise upon the principle of *bonâ fide* rating and *bonâ fide* residence. They believe that to be the sound principle, and a principle which ultimately will be accepted by the country as a solution of the many difficulties connected with this subject. With respect to the inquiry which has just been made of me by the hon. Member (Mr. W. E. Forster), I believe the words which I propose to insert in the 3rd clause with respect to the point to which he refers will remove any doubt upon the subject. I propose, in line 8 of page 2, after the word "rated," to insert the words, "as an ordinary occupier;" and in page 2, line 12, after the word "paid," to insert, "an equal amount in the pound to that payable by other ordinary occupiers in respect of," &c. The hon. Gentleman will find, I think, that that will remove any doubt as to our meaning in Clause 3, and it will not, I think, be necessary to make any change in the subsequent clause to which he refers. If it should, it can be easily done, and will be merely of a clerical character. The 3rd and 4th sections of Clause 3 will, with the addition of the Amendments I propose, read as follows:—

> "3. Has, during the time of such occupation, been rated as an ordinary occupier in respect of the premises so occupied by him within the borough to all rates (if any) made for the relief of the poor in respect of such premises; and—
>
> "4. Has, before the 20th day of July in the same year, paid an equal amount in the pound to that payable by other ordinary occupiers in respect of the said premises, up to the preceding 5th day of January."

The hon. Gentleman will find when he reads these words and considers them, that they entirely remove any ambiguity. While I propose the insertion of these words in the 3rd clause, I shall give notice of my intention to insert a clause which will repeal the 3rd section of 14 & 15 *Vict.* c. 14, commonly called Sir William Clay's Act. I have already expressed my opinion of that Act in the House. It is, I think, vicious in principle, and limited in application. I find its provisions are little favoured by the country, and the Amendment will remove the objection that has been expressed to there being a difference between the two classes of voters. I have expressed my opinion that in attempting to increase the franchise in an ancient country like England, one ought not to be too curious about avoiding anomalies; because very often in the pursuit of a Utopian constitution we lose the substance of what might have been obtained. Where it is possible, without inconvenience and without interposing materially with existing rights, it is desirable, of course, to be consistent throughout in our proposals, and it is much better to avoid interfering with previous arrangements. But this is a case, particularly after the vote which the House arrived at last night, which, I think, justifies the course referred to. My opinion is that with the insertion of the words of which I have given notice—as to the meaning of which I think there can be no doubt—and in repealing the 3rd section of Sir William Clay's Act, that we shall be able to carry into full effect the vote that the House arrived at by a considerable—at least, not an inconsiderable—majority, in a very full House before Easter. That is the communication I have to make to the House, and I hope it will be satisfactory.

MR. W. E. FORSTER: I beg to ask the right hon. Gentleman whether he will lay upon the table the important Amendment which he states he is going to propose to the 3rd clause, so that we may have it before us by Monday morning? I did not quite understand whether he proposes to move the repeal of the 1st and 2nd sections of Sir William Clay's Act as well as the 3rd section. [The CHANCELLOR of the EXCHEQUER: The 3rd only.] I wish also to ask whether he will take the debate upon this very important question of the repeal of the 3rd section of that Act before he proceeds with the 3rd clause of the Reform Bill?

THE CHANCELLOR OF THE EXCHEQUER: As at present advised, I do not think it is in our power to do that; but I will consider the point.

MR. HORSMAN: I wish to put a question to the right hon. Gentleman arising out of the announcement he has just made, and which, as regards the decision of the Cabinet upon the vote of last night, was the course generally expected and desired. I wish to put a question to the right hon. Gentleman, in order that the House may understand distinctly what will be its position towards the Government and towards their Bill in regard to the further Amendments upon which we may have to vote, and in what sense we are to accept the public declaration of the right hon. Gentleman as to what may or may not be vital points in the Bill. I hold in my hand what purports to be a letter written by the Chancellor of the Exchequer to the supporters of the Government. It is dated the 9th of April, and was published in *The Times* on the 10th, so that it must have been in *The Times* office before it was received by those to whom it was addressed. I will read it, for the wording is remarkable. It says—

> "Mr. Gladstone has given notice of a series of Amendments which he proposes to move in Committee on the Reform Bill on Thursday night. These Amendments are Mr. Coleridge's relinquished Instructions, in another form. The first of these relates to the vital question of residence, and if any one of them be adopted it will be impossible for the Government to proceed with the Bill. I shall therefore be particularly obliged if you will be in attendance in the House of Commons on that evening."

What I wish to call the right hon. Gentleman's attention to is these two expressions in his letter—that the provision as to two years' residence is a vital provision, and that if the term be diminished by carrying an Amendment to substitute twelve months, it would be impossible to proceed with the Bill. I will ask the right hon. Gentleman, whether the letter which is attributed to him is authentic; and, if so, whether it was written with the knowledge and sanction of the Cabinet?

THE CHANCELLOR OF THE EXCHEQUER: I did not rise immediately because I feared I should violate the regulations of the House, having already spoken, but I trust I may be permitted to reply to the right hon. Gentleman. He wishes to know, in the first place, whether the letter which he has read was written by myself. Really, I have such a good opinion of the taste and talent of the right hon. Gentleman, and I am sure he is such an excellent judge of style, that it will be quite unnecessary for me to give him any assurance upon the subject. I am perfectly ready to take the responsibility of the course pursued. With regard to his second question, as to whether I expressed the feelings of the Members of the Cabinet in the letter, I can say that, in expressing any opinion, upon any important political subject at least, it is my endeavour always to express the opinion of my Colleagues. It is not always in my power to collect them together and formally to ask their opinion upon every question; but I believe, in expressing the opinion contained in the letter referred to, I did express the general opinion of my Colleagues. As to particular epithets which might be used in a circular to the political supporters of the Government at a moment of great exigency, and as to the light in which the Government regard those epithets, if the state of business in this House rendered it advisable I might make several observations which would lead the House, perhaps, to an inference contrary to that drawn by the right hon. Gentleman from those expressions. I certainly wished to state that, in the opinion of the Government, this was a matter of great importance. But I would ask the House to view that letter in a spirit of candour. That letter was not addressed to this particular question—to this sole question of residence—nor was it even confined to this particular portion of the Bill. It was written under very different circumstances from those in which the question now presents itself to the Committee. The right hon. Gentleman (Mr. Gladstone) had fairly, and I think most legitimately, challenged the general policy of the Government on this question of the borough franchise, and had given notice of a series of Amendments. I called the attention of my Friends to what might fairly be looked upon as an attempt to substitute another policy for that which, with their confidence and approval, I had brought before the House. It so happened that when the right hon. Gentleman gave these notices, the first subject which he touched upon among those to which he proposed to call our attention was that of residence. In my letter I directed the attention of my Friends to this series of Amendments, which, if carried, would have entirely subverted the policy which we recommended, and, as the point of residence claimed our attention first, I wrote accordingly. But the right hon. Gentleman afterwards substituted another point, which he doubtless considered more vital, and the decision of the House was taken upon that. If that had occurred at the time I wrote, I certainly should not have referred, as I did, to the point of residence. When we had yesterday to consider the circumstances we found them very different indeed from what they were on the 9th of April, when that circular was issued. Since then, after a solemn discussion, a very full House came to the decision that the general policy which the Government recommended should in its main principles be adopted, and that the course which the right hon. Gentleman proposed should not be adopted. Surely, then, everybody of candid mind must feel that the question of residence alone must now be considered in a very different light to that in which it before stood. I regretted the decision at which the House arrived yesterday very much. I wish the question had been discussed at greater length. But the point which the Cabinet had to consider was whether, having in their hands the conduct of a measure of such vast dimensions and importance, they ought to throw up the control and further progress of that measure because the House had arrived at a decision upon one point under circumstances totally different from those in which some time before I felt it my duty to call the attention of my Friends to the subject. I say frankly to the Committee, as the author of that letter, and not at all ashamed of writing that letter, which I think was a very good one, my opinion is that the letter did express the sentiments of my Colleagues, many of whom I had the opportunity of consulting individually before I wrote it. I am sure every candid mind must feel that the course which we took yesterday, or, rather, which we have taken to-day, upon due consideration, is one consistent with our character as men of honour, and the duty which we owe to our Sovereign and the country.

Mr. OSBORNE: I rise not to continue the debate, but to give a public notice. I give notice to the hon. Member for Swansea (Mr. Dillwyn), who in my absence made comments which concern me, that I shall call upon him on Monday next to produce the original minute of the conversation he referred to.

Mr. W. E. FORSTER: I am sorry that I have to put another question to the Chancellor of the Exchequer in reference to the important statements he has made; but I am sure that it is his wish to give every information to the House. I understood that he proposes to move a clause to repeal a section of the 13 & 14 *Vict.* I wish to ask whether he will let us have the exact terms of the clause by Monday morning?

The CHANCELLOR of the EXCHEQUER: Yes.

IRELAND—FENIAN PRISONERS.

QUESTION.

Mr. MAGUIRE: I am sorry, Sir, to interpose between the House and my hon. Friend the Member for Birmingham; but in justice to the unhappy men I now represent, I cannot possibly waive the privilege which I possess. I rise for the purpose of calling attention to certain statements which, appearing in *The Irishman* newspaper, have been widely circulated by the public press of the United Kingdom, and which are sure to be copied into every English printed newspaper in the British Colonies, and throughout the United States of America. These statements purport to be extracts from the diary of one of the political prisoners now undergoing penal servitude in the Government prisons of this country, and sent for publication by a relative of one of those prisoners. I may here remark that I feel convinced the conductors of *The Irishman* would not have inserted that communication if they were not fully satisfied that the statements which it contained were made in honesty and good faith. It is due to the honour of this House, and to its character for sincerity and consistency—it is due to the honour of this country, and its character for sincerity and consistency—that these statements should receive the gravest attention and the most patient consideration. I shall not attempt to condense statements the reading of which will occupy but a few minutes, nor shall I substitute my own language for that in which the alleged facts are so simply stated. I do, Sir, ask at least from Liberal English Members, with whom I am associated for the purpose of giving freedom to the people of England, their attention while I place before the House the details of the gross and grievous indignities to which political prisoners have been subjected in the Government prisons of the British Empire. In the depth of winter, according to this statement, the flannels were taken from the prisoners, and their clothes removed from their cells at night. In one prison, when the bell rang at a quarter to nine o'clock at night, they were all stripped naked, and stood shivering in the cold till the warders came to take their clothes away. It was stated that—

> "One of the prisoners—Lynch—caught cold, and died from the loss of his flannels. The gruel which they got for supper had such an effect on Luby and Keane as to cause dysentery. On complaining to the doctor he said they were 'malingering.' From thenceforth while at Pentonville, they got nothing but bread and water, as they could not take the gruel. They were removed from Pontonville to Portland on the 14th of May, and were three months in Portland before the Deputy Governor made himself acquainted with the fact that those two men could not take gruel. They were all told on removal that it was for the benefit of their health they were sent to Portland. On their arrival they were kept one hour stripped naked, waiting for inspection by the doctor. Anyone who attempted to make a statement to the doctor about his health, was told rudely to hold his tongue. Kickham was then suffering severely from scrofula, caused by bad air and loose diet. Roantree was suffering from bleeding piles"—

[*Laughter.*] I can see nothing laughable in the statement I am making. I confess, Sir, I do not envy the feelings of the men who can make such misery an object of mockery.

> "Roantree," the diarist said, "was suffering from bleeding piles. Although he made several applications to the doctor, he was still kept working in the quarries, losing large quantities of blood every day. The place where he stood while working used to be saturated with blood. He at length, on applying to the Director, was taken to the hospital, and after being some time treated there, was pronounced incurable. In the week ending October 12, he lost a quart of blood. Their first employment at Portland was washing the convicts' clothes, in a room the temperature of which was 140 degrees. Several got sickness from

> washing the infirmary linen. Charles Underwood O'Connell fainted from loathing. Kickham, notwithstanding the state of his health (with ulcers all over his body), was employed here with the rest. He was obliged to be removed to hospital, where he remained for three weeks. Before he was cured he was sent into the quarries to break stones. The overseers constantly abused him because he was not able to do more work. Owing to his extreme shortsightedness he was unable to do as much work as others; on this account the officers often shoved him about in a most brutal manner. He remained at work for nearly three weeks, although in a wretched state of health. At this time the doctor never inquired after him; but at length he became so bad he had to be removed in the middle of the night to hospital. He there had to apply to the Director for better food. He said, in reply, that he had no authority to order it to him. He was invalided and sent to Woking. (Seven or eight have been invalided within twelve months after their conviction.) At Woking, Mr. Kickham, a man of education, of refinement, and genius, was associated with a monster in human form. The sufferings he endured in consequence are too shocking to more than merely allude to. At Portland the most arbitrary and contradictory orders were given by the Governor with reference to communication between the prisoners. The tools furnished for breaking stones there were so bad that one prisoner, Martin Hanley Carey, broke two of his fingers, and before he was cured he was compelled to go to the quarry and break with his left hand. By a refinement of cruelty Luby was refused a letter which had come from his wife, and such was the effect on his mind that he was threatened with brain fever. These political prisoners were compelled to clean out the water-closet every Monday in their turn."

It was further stated that those men were kept working in the rain till their ordinary covering was completely saturated, when they then put on a serge shirt, and were marched to a shed, which they could not leave until the officer in charge whistled, and they were then obliged to go to bed in their wet clothing. I do not dwell on the fact that they were subjected to the most arbitrary restraints and the most contradictory orders. One day they were compelled to speak in a low voice, another day they were ordered to converse in a loud voice, and a third day they would not be allowed to speak at all. These, then, are the complaints, or the substance of the complaints, made in the name of the unhappy men who allowed themselves to be involved in the Fenian conspiracy, and are now suffering the most terrible punishment for a political offence. Now, Sir, if there be an assembly in the world in which a broad, a wide, and strongly marked difference has been made between offences of a political character, and offences of a moral nature, that assembly is the British House of Commons. I have heard the most eloquent denunciations, from both sides of this House, lavished on Governments—foreign Governments—who placed the conspirator or the insurgent in the same category with those whom all civilized nations regard as branded felons—men whose infamous crimes have justly condemned them to a degrading doom. The English people speaking through their Parliament, their pulpits, their platform and their press, have pronounced solemn judgment on the sins of other Governments in this respect; and are they to play the contemptible part of the hypocrite and the Pharisee, and shrink from applying to the conduct of their own Government, or those for whom that Government is responsible, which they so lavishly apply to others. Sir, I do not for one moment think so meanly of the great English people as to believe that they would sanction, under any plea or pretence whatever, the perpetration of these cowardly and inhuman brutalities—on men, too, untainted by moral crime—by men who have offended in common with those whom they have defied for their resistence to foreign Governments and foreign rulers. Sir, let hon. Gentlemen who hold opposite opinions to those held by the mass of mankind, say what they please and think what they please, it is impossible for them to bridge over the impassable gulf which separates political offences from crimes of moral turpitude, and the attempt to conform them by similarity of punishment and degradation only revolts the moral sense, and outrages the feelings of every humane and enlightened people. Sir, I hope there is not a man in this House who would not be ashamed to rise in his place and justify the treatment to which these unhappy Irish prisoners have been subjected. You hear of these men being kept for an hour naked, awaiting the inspection of the doctor—of food causing them the most cruel sufferings—of one man with the blood dropping from him on the ground while he toiled at his work—of another who had broken two of his fingers, and, before the right hand was cured, compelled to work with his left—of a man of education and refinement associated with a brute in human shape—yes, of gentlemen by education and feeling degraded to the loathsome task of emptying privies in their turn. Sir, I say it is shameful—infamous—and the man who rises to defend it will be rebuked by the indignation of the English people. And

God knows, Sir, penal servitude is punishment enough for patriotism the most erratic or the most misguided. Its utter isolation from the active moving world without—its severance of all those ties which human affection, the love of the husband and the father, coils round the heart of man, its terrible monotony, its more terrible association, the coarse and scanty food, the hard and ceaseless toil, the garb of shame, the cage-like cell, the brutal insolence of the unsympathizing gaolers—surely, Sir, this is punishment enough, even for him who has loved his country "not wisely, but too well," without superadding to it wanton cruelty and shameful indignities. I shall now, Sir, ask the right hon. Gentleman the Home Secretary if his attention has been called to certain statements which lately appeared in the newspapers in reference to alleged harsh and cruel treatment of prisoners undergoing penal servitude for political offences; and, if so, whether he has made any inquiry with respect to them, and taken any steps, or given any orders, in consequence? and I would further ask him whether, if such statement be true, the treatment which they represent as inflicted on political prisoners is not opposed to the frequently-expressed opinion of this Assembly, and a violation of the unwritten law which is cherished in the heart of every civilized nation.

THE O'DONOGHUE said, he was well aware that many hon. Members had strong prejudices against the Irish political prisoners, owing to the conclusion they had come to that they had been actuated by the worst possible motives. He would not now stop to discuss the reasons which seemed to justify them in coming to that conclusion. He believed that the mass of the people of Ireland and the mass of the people of England did not participate in this view—and that they could not sanction the treatment which those prisoners received, and were profoundly touched by their present deplorable condition. He owned he shared to the fullest extent in that feeling of sympathy, for he was as certain as he was of his own existence that those unfortunate men who were now undergoing penal servitude at Pentonville and at Portland were solely animated by a desire to relieve their country from gross misgovernment, and that they had never recommended an appeal to arms until they felt convinced that every other mode of seeking redress was unavailing. In reviewing the acts of those men it was impossible to keep out of sight the past and present condition of Ireland; and if truth compelled the acknowledgment, as he believed it did, that that condition was one of uninterrupted misgovernment, then he concluded there was no justification whatever for the assumption that those men were mere revolutionists, actuated by a desire to subvert social order for some wicked purposes of their own. There were two facts which ought not to be forgotten—the one was that Englishmen of all parties admitted that the Irish people were labouring under great and extraordinary grievances; the other was that they had been for years seeking in vain for the redress of those grievances. After they had been for years tolerating, if not conniving at, the proceedings of those unhappy men in Ireland, when even at the verge of rebellion, it was, to say the least, the grossest inconsistency on their part to turn suddenly round and seize them with the grasp of despotism. The course of treatment pursued towards those Irish political prisoners was, in his opinion, discreditable to the people of England, and he knew that it had created a feeling of great exasperation in Ireland. No person could have been so foolish as to think that those political offenders could escape punishment; but it was the general impression that the treatment dealt out to them would be governed by those magnanimous sentiments which had been so often expressed in that House by British statesmen when administering advice to foreign Governments in respect to their political prisoners, or when condoling with the sufferings of men who had been goaded to insurrection by persecution or misgovernment. The Irish political prisoners were treated in a manner worse than the political prisoners of any other country. Their heads were shaved—they were chained together—they were clothed in convict's dress to degrade them to the dust—they were subjected to the poorest diet upon which it was scarcely possible to support existence—they were exposed to the most wanton cruelties and indignities in order to brand with infamy a cause which an immense mass of his countrymen were devoted to. There was an aspect of vindictiveness in their treatment, which engendered a fearful spirit in the hearts of their sympathisers in Ireland; and until the state of that country was very different from what it then was, he believed that they would persist in regarding these unhappy prisoners—no matter what Englishmen said or did in respect to them—as true patriots and as men deserving of their best commiseration. He hoped that the Motion of his hon. Friend would be assented to, and that those unfortunate prisoners would be soon relieved from their present deplorable condition.

Mr. O'BEIRNE said, he should support the Motion, and thought that the question was one that must commend itself to the good feeling of every hon. Gentleman. He appealed to the House to stand between these unfortunate men and the tyranny of the persons into whose hands they had fallen. The question was one which involved the very heart and soul of justice in this country. It was impossible to contemplate without horror the details laid before them, and he could only hope that they were over-coloured.

Mr. SYNAN said, that whilst expressing his strongest condemnation of the Fenian movement, he considered that the present question was one which involved the principles of British justice and British honour. He hoped the Secretary of State would, if unable to refute the statements of the hon. Member for Cork, put an end to the abominable treatment to which these unfortunate men had been subjected.

Sir JOHN GRAY said, he had read with much pain the published statements as to the cruel indignities inflicted on the Fenian prisoners, and having taken some trouble to ascertain if the allegations were true, he was reluctantly compelled to arrive at the conclusion that the statements laid before the House by the hon. Member for Cork were in accordance with the facts. He confidently hoped that the House would draw a line between the Fenian who was at large inciting to revolt, and the prisoner handed over to the custody of English officials. With the Fenians active in conspiracy this House could hold no parley, and could have no sympathy. He (Sir John Gray) had no sympathy with, and always publicly condemned their objects, their motives, and their courses. But he drew a broad distinction between the man who was at large, stimulating to reckless and hopeless revolution, and the unhappy man who, because of his illegal courses, had passed into the custody of the Executive of these kingdoms. That was, he conceived, a distinction which this House would recognise. It was one in strict accord with the constitution, the tendency of legislation, and the humane spirit of English gentlemen. The convicted prisoner was under the protection of the law, and this House was bound to see that the sentence of the law was carried out with humanity, and that no petty tyranny, no spirit of revenge for the past, no small persecutions irritating and galling to the unfortunate, and discreditable to the Empire were indulged in by the officers of the law. He (Sir John Gray) had satisfied himself that the chief facts brought under the notice of the House by the Member for Cork were substantially accurate. He conceived that the moment a man was sentenced, that instant the outlaw of the previous day passed under the guardianship of law, and had a claim upon the humanity of every high-minded citizen. The past history, the past misconduct, the past errors of these men were all wrapped up and buried in their sentences, and all prejudice should cease the moment they came within the purview of the Executive to receive their punishment. He (Sir John Gray) had ascertained that men of as refined tastes and as cultivated intellects as many Members of that House, were treated with the most cruel and insulting indignities. They were compelled to perform for others the menial, degrading, the physically offensive and unmentionable offices described by the hon. Member for Cork, and this treatment indicated that vengeance and degradation, and official tyranny were in full force against those unhappy men. Surely that was neither manly nor English, and would that be defended by the Government or sanctioned by the House. Certain duties, such as he indicated, might without any cruelty be assigned to a class of prisoners whose previous lives and habits rendered them familiar with such functions; but it was a refinement on cruelty to assign such duties to men of taste and of highly-cultivated minds. He had ascertained that some of these prisoners were confined for ten, fifteen, and twenty days in miserable dark cells—that their letters to their wives were read and misrepresented to the damage of their characters, and their dishonour as men. Some of them were punished by being put on bread and water diet for weeks in succession, being supplied with one pint of water at five in the morning and a similar quantity at five in the evening. [*Laughter.*] He (Sir John Gray) hoped he would not be misinterpreting that laugh if he accepted it as a laugh of incredulity, and an indication from men of manly English hearts that they believed it impossible that any English official would treat a political prisoner with such severity. He (Sir John Gray) was certain the Government, whose Members were men of high honour and generous feelings, would not stoop to persecute or take vengeance on men who had fallen into their hands. He was certaim no English gentlemen would do it—and, above all, he felt that this House—Members on all sides of this House—representing as it does the gentlemanly spirit, the conscience, the heart, and humanity of the great English people, would not sanction such proceedings. The whole tendency of the recent legislation of this Empire in criminal matters was to humanize punishment and adapt it to the nature of the crime and the character of the offender. In such an aspect the mental character of the offender and his antecedent habits were as important elements for consideration as his physical condition, and the mental character of these men rendered a punishment, which had no degradation for another class, the most bitter cruelty to them. The object of punishment ought to be to deter others from following the courses that procured its infliction. The substitution of revenge and petty persecution for just and rational punishment would exalt these men into heroes. The Executive, if it did not at once terminate these indignities, would be responsible for the creation of a species of hero worship in Ireland, for these men and for the cause in which they suffered persecution, not punishment. With a spirited people, like the Irish people, the result would be to spread and to extend, not suppress the principles they advocated. He had no sympathy with these men or with their cause. He had, however, sympathy, and this House and the whole English public had sympathy, with suffering humanity, and he hoped, therefore, for an assurance from the Government that a more just and enlightened system of treatment would be henceforth adopted towards men who were not now rebels and outcasts, but men under the protection of the law and of this House.

LORD NAAS: I rise because if my right hon. Friend (Mr. Walpole) were to address the House upon this question, it would prevent him, by the rules of the House, from again speaking on the Resolution of the hon. Gentleman (Mr. Bright). When that opportunity arises, he will be prepared to show that a great many of the statements which have been made by the hon. Gentleman (Mr. Maguire) are most grossly exaggerated; and he will be able to make, on the authority of the managers and directors of the prisons, explanations which will be satisfactory to the House. One statement made by the hon. Gentleman the Member for Cork having reference to Ireland I am, however, bound to notice. He stated that the flannels of some of these prisoners had been taken from them in Mountjoy Prison. I hold in my hand a Report from the Director of Convict Prisons in Ireland, and he says—

> "I perceive in a letter, appearing in the newspapers and declared to be written from an English convict prison by one of the persons convicted of treason felony in Ireland last year, a statement that the flannels of those prisoners were taken from them during their detention in the Mountjoy Convict Prison after conviction. I think it my duty to report that the statement is a deliberate falsehood. Such clothes as the convicted political prisoners wore during the day were removed from their cells at night, as a measure of precaution; the clothes were searched, and each man's suit returned to him in the morning. Convicts in Ireland who have been accustomed to wear flannels are always supplied with them, unless the medical officer shall consider their use unnecessary. The supplying of flannels to those who have not been accustomed to wear them is a matter entirely at the option of the medical officer."

I could not hear the statement the hon. Member made without taking the earliest opportunity of giving it the most complete contradiction. As far as my knowledge goes of the treatment of prisoners while they remain in those gaols for the management of which I am responsible, no hardship, nothing approaching to cruelty or ill-treatment, has ever taken place; and I believe that the statements made with regard to the Dublin prison are wholly without foundation. Whether the law of this country ought or ought not to make a difference with regard to the treatment of political prisoners and those convicted of other offences is a much larger question, and is one that ought not to be discussed and decided on an occasion of this kind. So far as I know the treatment of political prisoners in Ireland has been strictly in conformity with the law. If it be thought desirable that the law in this respect should be altered, the House ought to be asked to do it, and not the Executive Government on its own responsibility be asked to make such changes. It is a question worthy the consideration of the House, or, at all events, one on which the opinion of the House might be asked. The Government have only acted in this matter in strict accordance with the law.

PROPOSED REFORM MEETING IN HYDE PARK—INTERFERENCE OF THE GOVERNMENT.—OBSERVATIONS.

MR. BRIGHT: I rise, Sir, to call the attention of the House to the proposed interference of the Government with the public meeting in Hyde Park on Monday next. After the questions which were put to the Secretary of State at the commencement of the evening, and the answers that he gave to those questions, I was a little doubtful whether there was any necessity for my bringing the question of which I had given notice in a more direct form before the House. But on further consideration and consultation with some of my Friends, it has been thought better to have something more said about a question which at this moment is exciting great interest in London, and, from what transpired during this evening, it would appear some alarm. I hope that the alarm outside this House is very much less than that which has been manifested within. The Notice as it is printed in the Paper states that I am about to call the attention of the House to the proposed interference of the Government with the public meeting in Hyde Park on Monday next. I beg to assure the right hon. Gentleman (Mr. Walpole) that I do not rise for the purpose of making any attack upon him, or upon anything that he has done, or of increasing whatever difficulty he may feel in dealing with the question. In looking at the question as one of legality and right, I shall not undertake to say whether the people—the members of the Reform League and others who propose to hold a meeting in the Park—are acting with strict legality or not. Nor shall I undertake to declare my opinion whether the Government have a right to permit or to forbid the holding of meetings in the Park. I should say from the Notice which the right hon. Gentleman gave last night of the introduction of a Bill to define the powers of the Government with regard to the Royal Parks, that he himself, and his Colleagues with him, are not by any means satisfied as to the clearness of the title by which they act in preventing the holding of meetings in the Park. I think the introduction of that Bill creates that opinion in the House, as it has, no doubt, created it in the minds of the public. I will presume that the Government has—if anybody has—a right to close the Park—that it has the right to close the Park on any day, and on any occasion. But that right is one which must be exercised as other rights must be exercised, in accordance with the public interests and for the public good. It is quite clear, that although technically and legally the Government may have the right to close the Park, yet practically it has no such right in regard to the ordinary and common enjoyment of it. The Government really dare not attempt to close the Park on any frivolous pretence merely because it happened to please themselves, if the matter were one in which the public took no great interest. Therefore the right, if there be such a right, to close the Park absolutely any day is a right practically of no effect. It is incomplete, is not intended to be exercised, and never has been exercised. Nothing can be more clear than this—and if the right hon. Gentleman would be very candid, as he generally is in his statements to the House, he would say—it is not illegal for any number of persons, on Monday next, to enter Hyde Park. He would admit, further, that when they are in the Park it is not illegal that they should stand shoulder to shoulder, or, if they were numerous, even in a dense multitude. He would say, further, it is not illegal for a man to speak in a loud voice in the Park. We shall have an opportunity of hearing the right hon. Gentleman's opinion, and I am sure he will not say that it is not legal for those present in the Park to listen to what is said. My impression is, that the Government will act upon the opinion I have now expressed, and will say that none of these things I have described are illegal, and that altogether as one act they are not illegal. But it may be said, and with a certain show of reason, that a great meeting amidst a great population may be attended with—or may sometimes be attended with—danger to the public peace; and that therefore it is the business of the Government, and of the Home Office, to exercise some oversight in a matter of this kind when the public peace is menaced. That is a doctrine that many persons I know in this House hold; but they are very timid. I always notice one section of it particularly timid—I mean the Gentlemen opposite below the gangway. The timidity is not on the Treasury Bench, or with the Gentlemen that sit behind that Bench. They seem to have some confidence in the occupants of that Bench. The timidity as I have indicated, is at this end of the House, where there seems to be a great clamour on any occasion of this kind, as if some fearful danger were going to assail the country. If hon. Members had been bred in Paris there might be some reason for apprehending these dangers. In Paris these occasions are not thought desirable. Once there was a banquet announced to take place there. It was thought perilous and did not happen. Peril came from it. Thus men might learn a lesson from the transactions that happened in other countries. Where English people, English blood, and English speaking people are found—whether in our colonies, in the United States, or in the United Kingdom —great meetings have never been found productive of breaches of the peace. I defy you to find anything in history to show that, as a rule, great public meetings have been attended with breaches of the peace in this country. One of the most signal instances of a breach of the peace was in 1819, in Manchester, where men met to ask for Reform and for a repeal of the Corn Laws. If there had been no interference with that meeting it would have been as tranquil as we are in this House at this moment. But because it was interfered with by blind, bigoted, foolish magistrates, whose conduct now every man in the county of Lancaster is ready to condemn, there was a breach of the peace and bloodshed. But it was on the part of the Yeomanry not on that of the people. The result of that transaction has left to this hour feelings of animosity rankling in the minds of not a few of the people of that great district. If what I have said with regard to the question of legality be true, as I believe it is, I am also forced to say that the course taken by the Government last year was, I believe, not only an unwise course, but an illegal course. It was also an unnecessary course and led to any disturbance that occurred. If the Government had acted as I am persuaded they will act now, you would have found the meeting in the month of July last would have passed off just as tranquilly as 999 meetings out of every 1,000 have passed off in the history of this country. A Proclamation—or not exactly a Proclamation, but a notification has been issued by the Secretary of State. After stating in this notification that the use of the parks for the purpose of having such meetings is not permitted as it interferes with the object of Her Majesty in opening the parks for the enjoyment of the people, he goes on to warn the people not to attend. I have great sympathy with persons who enjoy the parks, though unfortunately I find my way there very seldom. I do not know how many persons will be in the Park on Monday at the meeting at six o'clock apart from those who will attend that meeting. If I said 5,000 it might be beyond the mark. But if 100,000 persons, citizens of this metropolis, are anxious to meet in this Park for two hours, it would be no great sacrifice on the part of these other visitors to it. Their enjoyment would not necessarily be interfered with. The true object of opening the parks to the public would not be endangered or injured in any way by permitting 50,000 or 100,000 persons to meet there and express their opinions on a great public question. We in this House are occupied almost from night to night on this question of the Reform Bill. No question of greater importance can be submitted to us. We are making the future history, and deciding the future condition of a great Empire. We are exhorted to put aside all party feeling, and those motives which excite contests here, that we may devote every power of our understanding and all our patriotism for the purpose of arranging this measure in a manner satisfactory to a great people, and finally to settle a question that has been a matter of contest for many years. Who are the people that have the greatest, or at least as great, an interest as any in this question ? Surely the unenfranchised thousands who live in this metropolis and in other parts of the country. If they had not a natural and intense feeling on this question you would not now be endeavouring to legislate upon it. If they have a very intense feeling upon it, it is a reasonable thing to expect that they should wish to meet and proclaim to the country—their sense it may be of gratitude to Parliament for the interest we are taking in the question ; it may be to explain their opinions on certain points of the measure ; it may be to offer counsel to the Government and to the House how to settle the question on sure and permanent foundations. I take the liberty of asserting that a meeting of this nature, whether in London or in any great town—in a crisis of this nature, if I may use the phrase—is an important and useful event. We have had such meetings all over the country. They have been going on since you threw out the Bill last year, and will not cease until the measure before the House, or some other measure for the same object, shall pass both Houses of Parliament and receive the assent of the Queen. What has taken place? I want to show that these fears are without foundation. I was in Birmingham the other day, and I was there in August or September, when the whole town appeared to turn out. There was no special constable to keep the peace. The Mayor and the Mayor of last year joined in the procession. The head of the police helped to marshal the procession. There was a unanimous feeling on the part of every class in the town—the public, the corporation, many of the magistrates, the police guardians of the public peace, with regard to this question. The meeting was held, and by competent authorities judged to have contained, from its centre to its circumference, not many fewer, if any fewer, than 300,000 persons. ["Dissent."] I will say this, at any rate, that I believe the number of persons was very much larger than has been ever yet assembled in any park in London at a political meeting, and it may be greater than will be assembled in Hyde Park at any time during this Session. If I ask my hon. Friend (Mr. W. E. Forster) what was done in the West Riding, he will give the same account. There was a meeting there with a sufficient number of men from twenty towns to have formed twenty meetings. If I ask my hon. Friends the Members for Glasgow, they would state that in the autumn of last year an incredible number assembled on the green at Glasgow. If I ask my hon. Friend and Relative the Member for Edinburgh, he would tell me what he saw in the Queen's Park in Edinburgh. If these meetings have been held without a breach of the peace; if none of the persons in these towns apprehended a breach of the peace, why, in the name of common sense, when a proposition is made to hold a meeting in Hyde Park, worry the Home Secretary as if the city were about to be sacked by a foreign enemy? If meetings have been held of the people of Birmingham at Brookfields; of the people of Glasgow in Glasgow Park; of the people of Leeds at Woodhouse Moor; of the people of Edinburgh in the Queen's Park—which, I believe, is more absolutely at the disposal of the Crown than any other —why, I ask, is there this terror of a meeting in Hyde Park? Why is this insult offered—for it is an insult—to a great many people of this metropolis to suppose that they cannot meet on an occasion like this without inspiring fears in the minds of men on whom on ordinary occasions cowardice is the last passion that would operate? I was sorry to hear that some have asked that there would be special constables enrolled on Monday next. I believe that this scheme has originated with a few lawyers. A friend of mine said the proposal was carried about in a court where he was the other day, and that some persons signed it. I am sorry to find wigs and gowns with so little courage and so little wisdom. I would say that, to enrol the middle class if you please or any class as special constables with a view of arresting the meeting, or of dispersing it, or with the view of putting them in an attitude of defiance or menace, in opposition to a great meeting like that intended to be held on Monday, would be one of the most insane things that any Home Secretary or magistrate could do. It would be setting class against class with a vengeance. It would be widening the breach which the legislation of this House during this Session, if it be wisely terminated, will in all probability fill up for ever. Neither is it a case for the military at all. Nobody dreams of it out of the House. It is not a case for police, except that the police in this great city should in a body co-operate with all persons anxious to keep the peace and put down any disturbance that might arise. I am confident myself, that the police, united with the many thousands of honourable men who may take part in the proceedings of Monday, would find their labour very light, and their duties more formal than real. What is the duty of the Government in this matter? It is not a question that can be settled very wisely by legal quibbles and technicalities. I hold the duty of the Government to be this. To offer no kind of opposition to the peaceful entrance of the people into the Park, and when they are in the Park, to take no part whatever in endeavouring to prevent what I believe will be the legal proceedings of the day—the intended proceedings of the day. To have no thought whatever of judging of that meeting in any other way or in any other spirit than the police all over the country have judged of the meetings that have been held throughout the country. I maintain, contrary to the feelings of some, that the character of the English people is guarantee for a peaceful issue on a day like that. In Birmingham, Leeds, Glasgow, Edinburgh, Newcastle, and Manchester you can have these great meetings. It is quite impossible that there should be that difference between the temper of the people of the metropolis and the temper of the people in other great cities of the country—that while those in the country are perfectly harmless, those held in the metropolis are to be eminently hazardous and dangerous. In a meeting like this the people have a great national object connected immediately and directly with their class, and with measures now being discussed in this House. They will go there ennobled by the sentiments which animate them, and you may have a double reliance upon them that there will be nothing done about which any of their countrymen may be ashamed. I hear hon. Gentlemen sometimes speak of the President of the Reform League with feelings akin to contempt. I have gone through a deal of that. I have known hon. Gentlemen on the other side of the House use strong language of me in public—I say nothing of what is said in private. Sometimes that language has been used to my face in this House, but oftener when I have not been present. There has been language of terrible abuse for my dangerous views in one year. I find them next year embodying those views in an Act of Parliament. I venture to say this of Mr. Beales—that there has never been connected with any political agitation in our time a more honourable man than he is. I judge from many years' personal, and some years' rather intimate acquaintance with him. I judge from what all those who know him best say of him, and I judge from the general conduct which he has pursued during the last two years when he has been prominent before the public in connection with a great agitation. He has suffered from that connection. He has been cut off from an honourable office; but he stands upon the principles which he holds, and he endeavours to move in their direction legally and morally. He has now, as I know, the intense satisfaction of knowing that the right hon. Gentleman the Chancellor of the Exchequer and his Colleagues are gradually dragging—it may be drawing, inviting, alluring, coaxing, coercing, or bringing in some way or other—the great Conservative party of England into intimate alliance with him. Sir, let me say this of the right hon. Gentleman the Home Secretary (Mr. Walpole.) I believe there is no man who ever filled the office which he does who was more anxious to perform its duties with moderation and with justice in all questions of the nature which I am now introducing to the House than he is. I am sure the right hon. Gentleman regretted the momentary turmoil that took place last year as much as I did, or any one of us did. I believe now he will now act upon a wiser principle. That he will believe, as I believe, that almost every man who goes to this meeting in Hyde Park will consider himself the guardian of public liberty, and at the same time the protector of the public property. I shall be much surprised if there be harm done to anything within the Park. I believe this at any rate, that the character of the English people for a love of order will not be tarnished by the transactions of that day. Sir, when I look at the difficulties of the right hon. Gentleman the Chancellor of the Exchequer, who has so much labour with the contending parties of this House in connection with the Bill he has introduced, I say it ought to strengthen his hands, and to be to him and to every man in favour of a settlement of this grand question, a pleasurable fact that there are millions of the metropolis of this Empire who can meet calmly, if not to discuss, at least to consider, the great question in which they are so much interested, and to lend their powerful aid to the attempts which are now made to introduce a large portion of the people to the privileges of our ancient and noble Constitution. I say that it is the business of the House and of the Government not to criticize this question too narrowly in a great emergency like this. The Law Officers of the Crown ought not to try and find a flaw in the claim of the people to meet in Hyde Park. They ought to be above quibbles of that nature. Let them rather consider the grandeur of the question and the grandeur of the hour. Let them consider the intense interests of the people. Let them consider that they are laying the foundation for future legislation and government. Then they will be thankful that there is a love of the Constitution strong enough, a love of order strong enough to enable this immense body of people to meet in their tens, twenties, or hundreds of thousands, for the purpose of peacefully assisting Parliament to arrive at an adjustment of this question. [*Laughter.*] I was just about to conclude, but the laugh of hon. Gentlemen will induce me to add another sentence. Is there a man among you, if so let him get up when I sit down and say so—is there a man among you who does not feel that he would not be in the position in which he now stands with respect to this great Bill if it had not been for the assistance of those great demonstrations of public opinion ? [*Laughter.*] Why, Sir, the thing is notorious, and if there be any man incapable of seeing it I shall not waste my time and the time of the House in discussing the point. I say such are the obstacles in the way of a very great measure like this, that it cannot be adjusted without the assistance of that great body of the people who hold these meetings—holding them for a noble purpose—["Oh, oh!"]—for it is a noble purpose, and I trust that the Parliament of England will regard it in that spirit.

Mr. NEATE said, that it was lest the right hon. Gentleman (Mr. Walpole) should be over-persuaded by the eloquence of the hon. Gentleman who had just sat down that he rose at that early period. The hon. Member had praised the Government for their moderation ; but he (Mr. Neate) thought the Government were entitled to something more from the Opposition side of the House, and that was cordial thanks for the course they had so wisely taken, and which he hoped they would persevere in. He did not come there to throw down the guantlet to the working men. Nothing was farther from his intention than to take such an aggressive course. If there had been anything of aggression, it had not been on the part either of Parliament or the Government. He must say that looking to the character of this agitation, it was difficult to conceive anything more unprovoked or more wanton than the shape which it had assumed during the last two months. If, indeed, Her Majesty's Government had endeavoured to disappoint the just expectations of the people by the introduction of a little Reform Bill, if they had proposed to reduce the borough franchise to £9 and the county franchise to £25 ; if they had rested at the resting-place, which by their own fault they lost last year, of an £8 franchise in the boroughs and a £20 franchise in the counties, he could understand that there would have been cause for a resentful agitation. But the Government had offered a measure which was more liberal than those who claimed to represent the working classes had been willing to accept, and more extensive than the measure of last year. Except, then, for the mere love of agitation—except for the purpose of keeping up a sort of Parliament in the streets, he could not conceive anything which could induce the leaders of this movement to persevere in the course on which they had entered. The mode in which the House of Commons and the Government had dealt with this matter had been marked by singular forbearance. In that House they had taken no notice of the many unmerited insults which had been heaped upon them, and they had shown more than kindness to these agitators. Not only had there been a procession on the 3rd of December, to which the police lent their assistance, and for which the Government offered the use of Primrose Hill ; but there had been —he trusted there would be no permanent allowance of any such right—weekly meetings permitted in Trafalgar Square. These agitators, however, had not allowed the Government any resting-place, but had themselves brought the question to an issue. It must now be determined whether any number of people without any legal character or authority could take to themselves the right on any pretext to meet in any of the open places of the metropolis. If the Government conceded any such claim as that, so far from deserving the support of the House, they would deserve to be impeached. If there was any legal question in dispute, the proper course was to let it be tried. But there was in reality no such question. Nobody who had ever talked with a lawyer, or who had a lawyer among his acquaintance, still less any lawyer could suppose that there was any doubt in the matter. There might, indeed, be a right of way through the Park. On that point he apprehended that they would have some information. But a right of way, if such existed, did not carry with it the right to hold a meeting any more than the right of way down Piccadilly implied the right of holding a meeting in the middle of the thoroughfare. Although the Crown might have granted the public a qualified right of way that right was confined to going through the Park. It was quite open to the woods and forests to say that they would grow hay in the Park, and that nobody should be allowed to trespass by walking on the grass. ["No, no!"] A very similar question was raised before the Select Committee on Commons. It was there proved that people had not, as had been supposed, the right of walking up and down and round a common, but merely that of going through it to the point which they wished to reach.

That was the extent of the right of the public in the case of the parks. A right to pass through, not to trespass. It was said, however, that although there was no legal title to hold the meeting, it would have been wise to permit it. That might have been the case had permission been asked; but when a right was asserted, the matter assumed a different aspect. He agreed with his hon. Friend that such permission might have been granted in this instance without danger to the peace of the metropolis. But the House must look not to the present temper of the people, and to the degree of excitement which prevailed respecting the very moderate differences of opinion which now engaged public attention, but to what might happen on an occasion when greater excitement existed. His hon. Friend had cited the example of Birmingham and Manchester, and had said why not allow here what was done at Birmingham, where the Mayor and a great number of the leading inhabitants showed their pleasure and satisfaction at such a meeting being held? and where they attended, he presumed, in order to have the pleasure of listening to his hon. Friend. But the leading authorities and inhabitants here, including those who used the Park for its legitimate purpose of recreation, did not wish for such a meeting. Therefore the example of Birmingham did not apply. His hon. Friend, judging partly from himself, and partly from those that had listened to him, contended that nothing but good could result from such a gathering. There might arise, however, other demagogues. [*Laughter.*] He hoped it would not be supposed that he intended to speak of the hon. Gentleman as a demagogue, though he did not see why the word should be deemed offensive, for it simply meant "a leader of the people;" but he should be the last to apply any term in the slightest degree disparaging to the relations which subsisted between his hon. Friend and the people, which redounded to the honour of both. But other leaders of the people might arise possessing equal power of stirring up their passions, but not possessing to the same extent the ability or the inclination to restrain them within those moderate courses which had marked the career of his hon. Friend as a political agitator. The House were bound to consider that contingency; and, while leaving unnoticed the attacks which had been made on their character, they ought to take care that they transmitted undiminished to their successors the power and authority with which they were intrusted. Especially should they do this at a time when they were on the eve of a great extension of the franchise. The more widely the doors of the Constitution were thrown open, the larger the number with whom they came in contact, the mightier the impulses to which the course of legislation was hereafter to be subject, the more important was it that they should transmit to their successors, unimpaired and untarnished, the laws and liberties of the country. Our laws had derived much benefit from our liberties, but the liberty of our country owed still more to its laws. He should esteem them false friends to English liberty who, either by their language or their silence, lent any countenance to the doctrine that the councils of this country and the legislation of the House of Commons were to be controlled by multitudinous assemblages out of doors or by permanent agitation in the streets. The hon. Member concluded by moving the Amendment.

MR. J. HARDY seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "Her Majesty's Government, in refusing the use of Hyde Park for the purpose of holding a Political Meeting, have asserted the legal right of the Crown, and deserve the support of this House in so doing,"—(*Mr. Neate*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. DAVENPORT-BROMLEY said, he was glad to find that the hon. Member (Mr. Bright) took a pacific view of the proceedings of Monday next, since there had been prophets in that House who had prophesied evil and who had been very influential in carrying out their own prophecies. He must say that that remark was applicable both with regard to the hon. Gentleman and to the right hon. Gentleman (Mr. Gladstone). The conduct of both of them reminded him of a story related by an eminent Member of the House (Mr. Arthur Kinglake) in one of the cleverest books ever written on the East. He described the behaviour of a certain prophet, who predicted that there would be a great plunder of the Jewish quarter of a particular Eastern town. On the day which he had fixed for the event he went among the crowd, created a tumult, and led them to the Jewish quarter, which they accordingly plundered. He indulged in a second prophecy of the same kind, but with that the law interfered, because he was regarded as too practical a prophet to be allowed to continue his prognostications. The hon. Member, however, had confined himself to stating his confidence that peace would be preserved inside the Park, and had said nothing whatever about the outside. But that he (Mr. Davenport Bromley) conceived was an equally important matter. He had a friend living near Cumberland Gate who had told him that the whole of his windows and nearly all his furniture were destroyed last July; that he had had the damage repaired at considerable expense; and that he did not look forward to next Monday with any feelings of satisfaction. He was not at all so sanguine as the hon. Member for Birmingham with regard to the peaceable character of the contemplated proceedings. The hon. Gentleman had said a good deal about the late Reform meeting at Birmingham. But he must be well aware that on Easter Monday there was invariably a vast crowd of people in Birmingham, and that the fact of the recent meeting being held on Easter Monday must be taken into consideration. The hon. Gentleman had also stated that hon. Members on the Ministerial side of the House—whom he, perhaps, regarded as less likely to have received an historical education than those on the opposite Benches—could not appeal to history for instances of the peace having been broken by meetings of this character. He surely ought to have remembered the Bristol riots, the Lord George Gordon riots, the Nottingham riots, and several other instances which might be mentioned, not forgetting the Hyde Park riots of last July. He believed the Government would not adopt an unwise course, or take an ostensible line of opposition in any direction. At the same time, he trusted that if any infraction of the law took place, they would take care to hold the leaders of the demonstration responsible for any injury to person or property which might unfortunately occur.

MR. THOMAS HUGHES: I wish to take the earliest opportunity open to me of making a few observations in reference to the questions asked early in the evening by the hon. Baronet (Sir Charles

Russell) in which he introduced my name and the names of other hon. Members on this side of the House. I do so because I hold it to be right, and the duty of the House, to scrutinize the conduct of its Members outside its walls. Some eighteen months ago, to begin at the beginning, some artizans whom I had known for some time, and for whom I had a great respect, called on me, and asked me to subscribe to the Reform League, of which they were themselves members. I subscribed to the funds, and, without further solicitation, I was made a Vice President of the League. Since that time whatever responsibilities or advantages may attach to that office have attached to me, and do so still. From many of the doctrines and most of the action of the Reform League I have differed widely. I have taken public occasion to state those differences; but I am not aware that the council of the Reform League have felt it to be their duty to alter their course of action in consequence of those views and opinions of mine. Admitting all this, I see and know nevertheless, as has been stated by the hon. Member (Mr. Bright), that but for the action of the Reform League, and the agitation that has been created by it and other similar bodies, we should not be where we are with respect to this question. I hold that the conversion of hon. Gentlemen opposite to the doctrine of household suffrage is, in a very great degree, owing to the agitation of the Reform League. I have been urged by many persons to give up my office as Vice President of the League. I have been urged to do so by persons whose judgment I highly respect, and whose good opinion I feel anxious to retain. But, after the best consideration I could give to the case, I declined to withdraw. It is not therefore likely that now I should re-consider the question, upon the pressure of the hon. Baronet and of the Gentlemen who think with him, for whose judgment I have not a high respect, and whose good opinion I am not anxious to obtain. It would be an act of simple cowardice and poltroonery if I were at this moment to recede from my position in consequence of the pressure applied to me by political opponents, or by any persons whatever. I apprehend that there are hardly any Members of this House who do not subscribe to institutions over whose actions they have no control, and with whose opinions they do not entirely agree. With respect to the proposed meeting in Hyde

Park, I can only say that, as a Vice President of the Reform League, I am not in favour of it, and that I have done and shall do what little I can to prevent its occurrence. But, at the same time, let the House and the Government distinctly understand that, whatever may be my opinion upon the subject, if the meeting be held, I shall not shrink from the responsibility which may fall upon me as Vice President of the League; nor do I intend to recede from that position. With respect to the property destroyed last year, the destruction, it must be remembered, was occasioned by the attempt to keep out of Hyde Park the persons who wished to enter it.

MR. WALPOLE: Sir, there was a singular omission in the speech of the hon. Member (Mr. Bright) of the one topic which I should have thought was the most important in the consideration of this question. He was very eloquent and powerful in advocating the holding of public meetings for the purpose of political discussion. The hon. Member pointed out the good which such discussions often produce, and, founding his argument mainly upon that, he advocated the propriety, and almost the right—for he treated the denial of it as an insult to the people—of the admission of the people to the Royal Parks for such purposes. The hon. Gentleman never heard from me, nor do I believe he will hear from any Member of Her Majesty's Government, any expression of an intention to deprecate meetings of that kind. But the strange omission, which could not have escaped the attention of the House, relates to what is the foundation stone of the matter now under consideration—namely, the place where the meeting is to be held, and the propriety of insisting upon a place that is forbidden, when other places are open. That was hardly adverted to, except in two sentences, from the beginning to the end of the otherwise powerful speech of the hon. Gentleman. The whole question before the House at this moment is whether that right—of which Her Majesty's Government have no doubt, and of which, I believe, not ten Gentlemen in this House have any doubt—namely, the right of the Crown to the Royal Parks, and as consequent on that right, the power either to permit certain things to be done, or the power to prohibit certain other things from being done—is not as clear as the clearest proposition known to our law. The right of the Crown has been exercised in various ways and at various times. There is an implied permission, consequent on usage for every person to be admitted to the parks—and gladly, willingly, and cheerfully they are admitted—for the purposes of general recreation and enjoyment. The same right is established in many parks in many parts of the country—not Royal Parks, but parks created by the beneficence of individuals, or by public subscription. In almost all these parks they make it a condition—I know they make it a condition in most of them—that they shall not be open for two purposes—namely, purposes either of political or religious discussions. The reason is obvious. These are two topics on which men's minds are easily excited, and on which contrary opinions may be brought to bear in an adverse manner. If you opened the parks for the discussion of one set of opinions, you must open them for that of the other set of opinions. If therefore the Royal Parks were opened for either of these purposes of religious or political discussions the injurious consequences would be so great that not only do I hope, but I firmly believe, that the House will support the Government in maintaining the distinction as a reasonable distinction to be observed. The hon. Member said he wanted to know whether any number of persons had not a right to enter the Park. I concede that to be so. But when the hon. Member goes on to ask whether they have not a right to put shoulder to shoulder, to stand near each other and express their opinions to each other in a somewhat loud voice, I say that the answer to the question must depend upon circumstances. The real fact, and the only question which arises is, not whether any number of persons may enter the Park, or whether any number of persons may even be walking together, but whether any number of persons may hold a public meeting, doing that which is not permitted to be done. He imagines that either the Government or myself must have some doubt as to the rights of the Crown, since we have announced our intention to bring in a Bill on the subject. I do not bring in that Bill because we have the slightest doubt of the rights of the Crown, but because those rights are in our opinion undoubted. The mode of exercising those rights, however, so as to prevent the infraction of the law, or of the right which is conceded, to the persons entering the Park, is not so easy of enforcement. The real truth is that since every one has permission to enter the parks, the holding of public meetings, instead of being a criminal offence, is an act of trespass; and that in dealing with a trespass it is found difficult, indeed impossible, to act immediately when large bodies are collected together. It is easy to enforce the law, and it has often been enforced when small bodies of men have tried to enter upon religious discussions. When preachers go into the Park for this purpose you can stop them and hand them out. If they resist, you can deal with them for a breach of the peace. But another state of circumstances now arises. This being the case, the question is whether the Government, after all that has occurred, were not justified in warning those who announced their intention of holding this meeting in the Park for political discussion that they ought not to hold it, because such meetings were not allowed to be held. That was a warning, I should have thought, which the members of the Reform League might have cheerfully and honourably acted upon. They knew perfectly well, because an intimation was given to them last year by the Government, that if they simply wished to have a meeting for the discussion of the question of Reform in the open air, in order to avoid the expense of an indoor meeting, Primrose Hill was open to them for that purpose. You cannot, therefore, say that it was for the purpose of preventing them from having a meeting that we took the course we did. It was simply to maintain the right which cannot be maintained for the benefit of the public unless the authorities do their utmost to maintain that right, and unless in endeavouring to maintain that right they are supported by Parliament and the country. The question then arises supposing these gentlemen to insist on going to the Park, upon whom will fall the responsibility of any breach of the peace which may arise? They have had their warning, and I think they might even now be advised to take it. No provocation will come from the Government so as to lead to that which is to be deprecated by everybody—the chance of a disturbance or breach of the peace. If they go, as I understand they intend to go, though in a somewhat altered manner from that originally announced—if they go into the Park as other people go into the Park, the gates will not be closed. They will be admitted; but I do hope that when that is done, they will not insist on holding their meeting. I do hope they will pay such respect to the law of the land as to desist from what they must know is contrary to law. They have had every opportunity offered them of trying the legal right. Not only have they declined to accept that offer, but the President of the Reform League himself has said within the last six weeks that the legal right, he admitted, was with the Government. Sir, if this had been only an announcement of a meeting to be held in the Park, it would not have become the Government, in maintaining the rights of the public—for all the people have a right to the enjoyment of the parks—to have stood neutral. But that is not all. I do not wish to say anything to aggravate or increase the difficulties of the present state of things. But I should imperfectly discharge my duty if I did not point out that not only was the meeting announced to be held, but language was used for the purpose of defying the Government and the authorities, which no Government could submit to with due regard to the interests of the country. I hope that language has now been withdrawn; I hope still more that it will not be repeated. In concluding the few observations I have addressed to the House, pointing out the reasons why Her Majesty's Government have felt it their duty to take the course they have done, I cannot but add this further entreaty to those who may be connected with the Reform League. One of the vice-presidents (Mr. Thomas Hughes) has already said that he has tried, and will try to prevent this meeting, though he held himself responsible for what occurred while he remained Vice President. I hope that others will join their voices with his in trying to persuade the League not to do that which is contrary to the law. There is no intention on the part of the Government to prevent them from having the fullest and fairest discussion on the great subject of the day, provided the place where it is held is not a place set apart for other purposes. The rights of the people to the enjoyment of the parks are recognised by the Crown, but those places will never, I hope, be permitted to become arenas of political or religious agitations.

MR. GLADSTONE: Sir, I wish to meet, without a moment's delay, so far as I am concerned, the invitation which has been given by the right hon. Gentleman (Mr. Walpole) to the Members of this House for an expression of opinion with respect to the meeting proposed to be held in Hyde Park on Monday. I will state at the commencement of the few remarks I have to make that I draw, in my own mind, and I desire to make intelligible to the House, a broad distinction between assuming responsibility on the part of this House for any step the Executive Government may take in the exercise of their legal powers, with reference to affirming or questioning the correctness of their judgment—a matter that I take to be beyond the duty of the House—and that which, on the other hand, I think does lie within the duty of the House and of Members of the House—namely, respecting and supporting the authority of the Crown and of the Ministers in the administration of the law. One word, in the first place, in respect to some remarks which have been made in this debate. Nothing could be less desirable than that any difference of opinion should be manifested in this House by a vote on a question touching public law and order. Upon questions of this kind the space that separates the two sides of this House entirely disappears. There can be but one sentiment in any quarter of this House with regard to the paramount importance and sacredness of every interest connected with the maintenance of public order. In the little I have to say I shall endeavour to speak in a spirit conformable to that sentiment. Holding that sentiment, I make this preliminary appeal to my hon. Friend (Mr. Neate) that I trust he will not ask us to go to a vote that must necessarily be misrepresented and misunderstood, relying, as I think he may, upon that substantial union of opinion which I am certain pervades all quarters of the House. I must say that if there be those who question either the lawfulness or the usefulness, in given circumstances, of great assemblies of people for political purposes, I am not among such persons. Moreover, I confess it was with some surprise that I heard expressions of scepticism from some portions of the House when a speaker on this side stated what appears to me entirely beyond dispute, that assemblages of the people for discussion and manifestation of their opinion regarding the question of Reform, have had an important—I will venture to say a vital influence and effect, in bringing that question to its present position. I can conceive nothing more legitimate in general than the principle of such meetings. Nothing less questionable than the propriety of their being brought into use on occasions of this kind where the interests of the people are directly concerned, and where for many years a main allegation in the mouths of its opponents—doubtless a conscientious allegation—was that the people themselves were indifferent to it. Although my hon. Friend (Mr. Neate) has rested his argument on the merits of the Bill introduced by Her Majesty's Ministers, I am not going to rest any counter argument on the demerits of that Bill. But I must say it is very natural that among those who are alive to the advantages and recommendations of that Bill the people of London should not be found in a foremost rank. This is not the time to introduce polemical observations; but whatever may be said as to the advantages contained in it to other parts of the country, there can be no question that the Bill, as regards the population of London, is little more than null. I therefore am not prepared to concur, directly or indirectly, in the slightest censure of the people of London for their continued desire, if they think fit to entertain that desire, to meet and express their views in respect to the question of Reform in Parliament. But, as was said by my right hon. Friend (Mr. Walpole), that is subject to considerations of place. The Government believes itself to be in possession of legal powers to prohibit the use of the parks for the purposes of political discussion. It is a question, I admit, of very nice discretion—whether upon any occasion the extreme right of the Government in such matters should be waived. My right hon. Friend, I think, on certain occasions, if my memory does not deceive me, has himself waived somewhat of that right. I confess it appears to me it might be wise in some circumstances that that right should be waived. I agree cordially with my hon. Friend (Mr. Neate) when he deprecates permanent agitation. I will not say there can be no greater curse to a country. But I will say it is a great public evil, commonly testifying, indeed, to the existence of other and greater evils, but yet in itself a great public evil. But the way to get rid of these evils is by just legislation. However, I am now only drawing attention to the difference between a permanent cession of a right and an occasional waiver under circumstances that would justify such an exercise of discretion on the part of the Government. If the right hon. Gentleman has upon former occasions waived somewhat that right, I admit that he and his Colleagues are the proper judges whether that right should be waived under present circumstances. I am not sure whether I have gathered from the speech of the right hon. Gentleman with perfect exactness the intentions of the Government upon this subject. I will, however, state what those intentions are as I understand them. I understand that the right hon. Gentleman holds himself to be beyond all doubt in possession of a legal power to prohibit and to put down meetings for political discussion in the parks. I understand him further to say, and I think this very important, that if other persons differ from the Government in their view of the law, he is not opposed, but, on the contrary, would give every facility for trying the legal right. Under these circumstances, and inviting an appeal to the law, the right hon. Gentleman says to those who propose to hold the meeting in Hyde Park, "I warn you not to attend the Park on Monday, the 6th of May, for the purpose of political discussion. No attempt will be made to close the gates of the Park against the entrance of any one who wishes to go there, but my intention is not to permit political discussion in that place." I understand that to be the intention of the right hon. Gentleman. If I have not correctly defined that intention, perhaps it might be as well if he were to say so.

Mr. WALPOLE: As this is a very important point, perhaps the House will forgive me for interrupting the right hon. Gentleman. The right hon. Gentleman used the phrase "prohibit and put down." I believe I never uttered the words "put down." On the contrary, I think I explained myself by saying that this was a trespass only. There would not therefore, practically, be power to stop such a meeting, and for that reason I sought by Bill to obtain some further powers to enforce the legal right in a more effectual manner.

Mr. GLADSTONE: I must admit that when I read the Proclamation, or document, or notification—call it what you will—published by the right hon. Gentleman, I understood it to be the intention of the right hon. Gentleman to assert the legal right of which he thinks himself possessed by the agency of those who are at his command for that purpose. As the matter stands at present, I understand the right hon. Gentleman to say that his intention is limited to interference when any act takes place that involves a breach of the peace.

Mr. WALPOLE: I think I never expressed any intention as to what would be done in the event of the meeting being held. What I did say was, that the meeting being prohibited, the parties to it would be trespassers, and might be treated as trespassers. But in treating them as trespassers and in handing them out of the Park, a breach of the peace might easily be committed. This would be one of the consequences that might arise if the meeting were held.

Mr. GLADSTONE: I do not doubt that it is owing to defective apprehension on my part that I feel myself to be imperfectly informed by the statement of the right hon. Gentleman as to the course that he intends shall actually be taken in this matter. But if the intention of the right hon. Gentleman be to treat as trespassers, and therefore as persons who have committed a breach of the law, those who engage in political discussion in the Park on Monday next; or I will go further, and say whatever may be the intention of Her Majesty's Government with respect to the administration and execution of the law, my most earnest advice and entreaty to those whom the Proclamation concerns is to conform themselves to the notifications it contains. So much at least of respect is due to the Government as the administrators of the law, that it is not consistent with the duty of the private individual and loyal subject of the Queen—and I agree with every word that the hon. Member (Mr. Bright) has used with regard to the general spirit which pervades the minds of the working population of London, whom I believe to be as jealous of the purity of their loyalty, as any Gentleman in this House—to place himself in conflict with those who are properly responsible for the execution of the law. If any persons question the legality of the powers assumed by the Government, they should carry the matter before the tribunals of the country, where the legal question would be determined. I will only add that, as others may labour under the same defective apprehensions as myself with regard to the intention of the Government on this subject, I hope that as far as the nature of the case admits their intention will be fully and clearly made known to those to whom the Proclamation has been addressed. It may be on my part an undue assumption of authority, to which I have no pretension, to utter any word of advice or recommendation to those who propose to hold this meeting. But be that as it may—exposing myself to misconstruction on that score, but trusting, as every public man in this country may trust, to the generous indulgence of his fellow-countrymen, when in strictness, perhaps, he travels a little beyond his province for the sake of obtaining a great public end—I offer to them in the face of the House the entreaty which I have just uttered. Under these circumstances, I feel confident that the hon. and learned Member (Mr. Neate) will not ask the House to divide upon his Motion. In my opinion it would be a great mistake to press that Motion, and to ask the House to express beforehand, without being fully acquainted with the intentions of the Government, its opinion as to whether the Government had or had not been wisely advised to adopt, in the exercise of its discretion, a particular course. We should certainly have the alternative, if the division were to be taken, of voting that the words proposed to be left out stand part of the Question; or that the business of the House should go forward in its ordinary course. However, I feel almost confident that we shall not be driven to this alternative. I think I am expressing the sentiments of my right hon. Friend (Mr. Walpole) himself in making this appeal to my hon. and learned Friend. I cannot agree with the observations which have been made by the hon. and learned Member with regard to those who have met in different parts of the country for the purpose of expressing their opinions on the subject of Reform; neither do I share in the apprehensions which some people appear to entertain with regard to any results that may arise from such meetings. But the question before us is one of a totally different description, and it is one in which our duty and obligations are so clear as to be beyond dispute. Let us respect the right and liberty of meeting: let us, if we think fit, reserve to ourselves the right to question the authority assumed by the Government at the right time and at the right place; but, in the meantime, let us support their authority as the administrators of the law for the sake of the law itself and for the sake of the public interest.

Mr. WHALLEY said, he had a petition to present from Charles Bradlaugh, a member of the Reform League, praying that notwithstanding the notification of the Home Secretary he might be protected whilst taking part in the public meeting on Monday next. The question with respect to the meeting on Monday next was this, whether under various pretences it was the purpose of the Government to restrict and render more difficult the exercise of the rights of the public. The ground now taken by the Government differed from that taken by them on a former occasion. The ground taken by the Chancellor of the Exchequer last year was that a breach of the peace might be apprehended. The present pretext was that the enjoyment of ordinary visitors to the Park might be interfered with. The reasons were inconsistent, and it was trifling with the question. Personally, he did not approve of the proposed meeting. He could not imagine why these persons could not leave the matter to himself and to others who had protected the cause of Reform on a recent occasion. Still, the point was one upon which the public must be allowed themselves to judge, and the House had therefore no right to interfere on the ground of unreasonableness. Nothing could be more pretentious, more unsound, more fictitious, than the objection raised by the Proclamation of the right hon. Gentleman. Why should it not apply to reviews and other public celebrations? The present discussion was not at all calculated to allay the dissatisfaction which now prevailed. The legal question had been raised, but that had nothing to do with the matter. The Crown had many rights that it would be madness to enforce. The right hon. Gentleman, in dealing with this matter, ought to consider the rights of the public, which were now in danger of being infringed. He trusted that the right hon. Gentleman, instead of interfering with the rights of the people, would rather assist them in expressing their opinions.

Lord ELCHO: I had not, Sir, the good fortune to be in the House when the hon. Member (Mr. Bright) made his speech, but can well understand that its purport was somewhat similar to that of speeches made by the hon. Member elsewhere. I heard, however, with great satisfaction the speeches of my right hon. Friends (Mr. Walpole and Mr. Gladstone.) My right hon. Friend (Mr. Gladstone) apologized to a certain extent for holding the opinions which he expressed; but I cannot help regarding that apology as entirely unnecessary, inasmuch as I believe it to be the duty of every well-wisher of his country to assist in maintaining order and peace in the metropolis. I cannot, however, think that this question is at the present moment in a very satisfactory state, and I confess that I was unable to gather from the remarks of my right hon. Friend (Mr. Walpole) the exact position in which the matter at present stands. I remember very well the circumstances of 1848, when my right hon. Friend (Sir George Grey), who was the Home Secretary at that time, must have had considerable experience in connection with this question. I have risen, therefore, for the purpose of asking him to favour the House with some expression of opinion upon this matter, with which his experiences and recollections of 1848 must have made him familiar.

THE CHANCELLOR OF THE EXCHEQUER: I must say that I do not think the remarks of the noble Lord are warranted, because my right hon. Friend (Mr. Walpole) has told the House what our opinions are with respect to permitting the people to enter Hyde Park. Upon that point I think we fully express the opinions of Her Majesty's Government, while upon the legal points we never entertained the slightest doubt. If the question assumes the form of a simple trespass, then it will be dealt with according to the circumstances. The noble Lord appears to think that my right hon. Friend had not been sufficiently explicit as to the intentions of Her Majesty's Government after the people had entered the Park. It is asked what the Government intend to do after the people shall have entered the Park. What course will be taken must depend on circumstances—upon what takes place in the Park. It is quite impossible to say beforehand what we are going to do with respect to those who attend in the Park. All I can say is that we have taken every precaution for the preservation of the peace, and for preventing any possible inconvenience and injury to the ground in consequence of any accident or disturbance which might possibly arise. Every precaution is taken for the preservation of the public peace. But with respect to our conduct after the people shall have entered the Park, I repeat that that must depend on what takes place. I trust that every thing that takes place will be of such a tranquil and ordinary character as to make it unnecessary on the part of the Government to take any steps. But when my right hon. Friend is pressed to state what he will do under circumstances which have not at present occurred, the only answer which can be given is that we have taken precautions which we think adequate to preserve the peace of the metropolis.

SIR GEORGE GREY: I can, of course, give no opinion as to the course which the Government ought to take on this occasion. The circumstances of 1848, which have been referred to, and those of the present time, are very different. There is no question now as to the legality of meetings held for the discussion of questions connected with Reform, and the only question is as to where those meetings should take place. I think, however, that there is some obscurity remaining as to the course which the Government intend to take. It is not an unreasonable assumption that the persons who do go to the Park on Monday will go with the intention of holding a meeting in defiance of the notice which has been issued. This I apprehend they have no right to do, inasmuch as the Park is a place which is only opened to the public subject to certain restrictions imposed by the Crown in the interest and for the benefit of the public. If persons, with the view of asserting what they conceive to be their legal rights, should attempt to hold a meeting in the Park—though I trust they will not do so — I think that they should distinctly know beforehand what course the Government intend to take. I must, however, express my earnest hope that, after the discussion of this evening, the general expression of opinion as to the right of the Government to prohibit meetings in the parks, and the advice which has been so earnestly tendered by many Members of the House, the members of the League will abstain from doing that which must put them in the wrong.

CAPTAIN HAYTER said, he wished to know whether it was the intention of the Government to bring up a special force of cavalry and infantry to prevent the people from going into the Park, in the event of there being a procession, with banners, with the obvious intention of holding a meeting in the Park. If the people were once allowed to enter the Park, then the difficulty would arise of driving them out again, and the utmost danger might result, not only to property but to person. On the former occasion of a meeting in Hyde Park an hon. Member had his house actually entered; several gentlemen had all their windows broken, and the son of a right hon. Gentleman on the Ministerial side of the House nearly lost his life. Therefore, he wished to know whether the Home Secretary meant to have a sufficient force of military ready to prevent the people from entering the Park?

MR. OTWAY said, that he had already expressed an opinion that Hyde Park was not at all a suitable place for holding political meetings, and he therefore had no sympathy with those who intended to hold a political meeting in that place. He understood the Home Secretary to say that the persons whose intention was to hold a meeting in the Park would be allowed to enter. But what he wanted to know was, when those persons proceeded to commence a political discussion, whether the Government meant to take forcible means to eject them, or whether they would be allowed to continue the discussion? It would depend on the course adopted by the Government whether the whole affair passed off peaceably, or whether it led to the breach of the peace.

MR. SELWYN said, that he was a special constable in 1848, and he was ready to serve again in that capacity. He could not concur in the statement of the right hon. Gentleman (Sir George Grey) as to the great difference between the circumstances of that time and the circumstances of the present time. If anything, they were more serious now. The question did not relate to the right of public meetings for political discussion, for that was conceded on all hands. Neither was it a question as to the convenience of the place of meeting, for, having regard to the situation of the residences of most of the persons likely to attend, and to its own shape and position, Primrose Hill would be a much more convenient place for the purpose of the meeting, and there was not the same likelihood of damage being inflicted upon the houses in the neighbourhood as was the case in Hyde Park. Primrose Hill had been offered more than once, and there could be no doubt that Hyde Park had been chosen as the place of meeting simply for the purpose of intimidation. There was no question at all as to the point of law. Even the hon. Member (Mr. Bright) did not assert that the people had any legal right to meet in the parks. Every one had permission from the Crown to go into the parks at certain times and for certain purposes, and this permission could give no greater right than every one had to walk up and down a street in front of a man's house; but if a number of people were to give notice that they intended to hold a meeting in the street in front of a certain house, and were warned by the police against doing it, as it would interfere with the proper use and enjoyment of the thoroughfare by others for other purposes, and would therefore be unlawful; and if, notwithstanding these warnings, the people insisted on their right to hold the meeting, it would be exactly the question which was raised in this case. He did not think it would be right for the Government to say in precise terms what they would do in case of any particular event occurring. He agreed with what had fallen from the Chancellor of the Exchequer—that their course must be guided by circumstances. Considering that the legal question was free from doubt, that the right of public discussion was fully conceded, and believing that if the meeting were held as proposed it would be in direct defiance of the law and for the purpose of intimidation, he held it to be the duty of every Member of that House to give to the Government his utmost support on this question, as their cause was alike the cause of true liberty, the cause of law, and the cause of order.

MR. DENMAN said, that he was also ready to serve again as a special constable in defence of law and order—as he had under the command of his hon. and learned Friend in April, 1848—if necessary. But in reference to the matter under discussion, he was of opinion that the intentions of the Government should be made a little clearer. If any of the persons who went to the Park on Monday should get up and commence an address to his fellows on some political subject, would he be turned out of the Park? The intentions of the Government on that head had not yet been put before the House point-blank, and he thought that they ought to be clearly understood, or many of the persons attending in the Park, when they found that political topics were not allowed to be discussed, would complain that they had been made fools of, and a disturbance might arise. The Proclamation which had been issued left it quite doubtful whether the Government intended to prevent any discussion or not. Would persons acting in the way described be turned out of the Park? If that were properly known and understood, it would have the effect of preventing a great many people from going there. If it were not stated beforehand, and people went to the Park under the impression that they would not be interfered with, and then were turned out, they would be much more likely to get into a state of temper in which a disturbance was likely to happen. If a disturbance occurred in consequence of any violation of the law, he quite agreed that the Government ought not now to be called upon to explain what they would do in that event; but he thought it was only right and fair that a distinct answer should be given to the question of whether, if Mr. Beales or Mr. Bradlaugh attempted to get up a political discussion in spite of the warning of the Government, they would be taken into custody by the police?

MR. KINNAIRD said, that he had received a communication from Perth, strongly urging him to state to the House that they took a deep interest in the question, and that they considered the proposed political meeting might be fairly held in Hyde Park on Monday next. He did not express any opinion upon it himself; but he thought it should be known that there was a strong feeling in the country upon the question, as it was considered to be one which affected the right of meeting in public places.

MR. P. A. TAYLOR said, he could not let pass without observation the statement that the House was unanimous in denying the right of the people to hold meetings in the Park. For his part, he held that the people were distinctly in the right in holding their meetings, so long as they were peaceful and orderly meetings; and—however little his opinion might be worth—this was at least important to understand—namely, that the people thought so too — that therefore they could not be said to be acting with the desire to deliberately defy the Government, but simply to exercise what they believed to be an undoubted right. Now, he must say that no ground whatever was, in his opinion, made out for the alleged illegality. The right hon. Gentleman (Mr. Walpole) from time to time used the phrase "Royal Parks," as though they were the property of the Crown; but then in the next sentence he would use the quite different, and indeed inconsistent, language — that the parks had been made over to the people for their recreation and amusement, and generally for all proper and useful purposes. Now he (Mr. Taylor) must say that he was not surprised that amongst such proper and useful purposes Englishmen should think that occasional meetings for the peaceful and orderly discussion of political questions should not be ignored or excluded. But then it was said the Government are bound to keep the peace, and to take precautions that no meeting at which violence was threatened or probable should be permitted. To that proposition he gave his entire concurrence; but then it had no special reference to a meeting in the Park, or elsewhere. The Government were responsible for the maintenance of order, and it was their duty to take care that it was not violated in the Park or out of it. But then they were bound by a responsibility to the House and to the country to show that they had sufficient grounds for interfering with the usual and constitutional right of meeting. In this case they had no such right, because they could not allege, and did not allege, that they had any fear of a disturbance. What said the Proclamation of the right hon. Gentleman? It said, meetings for political discussion were not permitted. Permitted by whom?—he should like to inquire. The simple fact was that the plea that such meetings interfered with the general enjoyment of the people was a mere pretext, as the people very well knew; the real object being to prevent a mass meeting on Reform. The Government did not believe that the proceedings of the Reform League would cause a disturbance. The only disturbance to be apprehended was through Government interference with the meeting, and hence the responsibility for any breach of the peace would rest with the Government. But it was said that now at any rate the people knew that they would be acting illegally, since the Proclamation had been issued by the Government. Now he wished to point out that proclamations did not, happily, in this constitutional country, constitute law. He had the highest possible respect for the right hon. Gentleman (Mr. Walpole); but he ventured to tell him that he did not constitute in himself all the governing elements in the country—he was not exactly Queen, Lords, and Commons rolled into one. He (Mr. Taylor) asked what law it was under which political meetings were forbidden in the Park; and if the right hon. Gentleman could only point to his own manifesto, he (Mr. Taylor) respectfully denied its validity. It was not very long since the right hon. Gentleman the Chancellor of the Exchequer had defended in that House all the infamous atrocities committed in Jamaica on the ground that they were done under a proclamation of martial law. Now he had not yet heard that such doctrines were to be applied at home as well as in our colonies; he even thought it not impossible that, after the luminous charge lately delivered by the Lord Chief Justice, the right hon. Gentleman the Chancellor of the Exchequer might not be anxious to repeat his dictum. But be that as it might, he (Mr. Taylor) was prepared to take the responsibility, whether as a vice-president or in any other capacity, of declaring his conviction that the Reform League was correct in believing that in calling a meeting in Hyde Park they were not acting illegally, and in throwing the full responsibility of any disturbance that might ensue upon the foolish interference of the Government. He thought the Government should not now be pressed as to the exact course they intended to pursue on Monday. They had already stated that they did not propose to prevent the people entering the Park, and that they should not interfere unless a breach of the peace should occur; and he, for one, had no fear that any such misfortune would occur, except through the forcible intervention of the police, of which, after the speech of the right hon. Gentleman, he had no apprehension.

SIR JOHN PAKINGTON: I rise to reply to the inquiries recently put to the Government lest it should be thought that we are deficient in courtesy. I had hoped that what was stated by the Chancellor of the Exchequer a short time since would have been sufficient. It has been said most distinctly that as long as persons, whom I will not more particularly define, walk into the Park in a peaceful and well-conducted manner, no attempt shall be made to prevent their entrance. I trust that, after what has been said upon both sides of this House, this ill-advised intention on the part of the Reform League will be abandoned. But if, in spite of what has been said here, and in defiance of the notification that has been issued by the Home Secretary, the intention of the League is still maintained, the Government will act at its discretion. But, inasmuch as we have reason to believe that steps have already been taken with a view to evade any arrangements the Government may have made, we do not think it our duty publicly to state here the course we should take under circumstances which we cannot foresee. We have taken and shall take abundant precautions to protect the public peace, and I hope those precautions will be successful in preventing unpleasant consequences.

MR. LOWE: The right hon. Baronet has stated that the Government cannot, consistently with their duty, tell us what they can do under circumstances they cannot foresee; and nothing can be more reasonable. But what we want to know is what will they do under circumstances which they can foresee, because they have been announced in the form of a programme of proceedings. We are told that a number of persons intend to go to Hyde Park. That is a perfectly legal proceeding. But they intend when they go there to hold a meeting. I gather from the Secretary of State (Mr. Walpole) that that is not in itself an illegal proceeding. [*A Member of the Government was understood to dissent from this.*] I understood the right hon. Gentleman to say, in substance, that the Crown gives a licence to its subjects to go to the Park; but that licence is revocable, and that it would be the pleasure of the Crown, as announced in the notice which has been given, if the persons meeting in the Park on Monday evening proceed to hold a public meeting on the subject of Reform, to revoke the licence, and that those forming the meeting would thus be made trespassers. Now, the question I want answered is this. As the Government knows it is the distinct intention of certain persons to hold a public meeting on Reform in the Park, and as they have announced that such persons will become trespassers by so doing, I want to know what course the Government will take with regard to those persons when they act as they say they will? It is useless for the Government to say they do not foresee this event. They do foresee it. The Home Secretary has certainly foreseen it. He has told us exactly what is anticipated, and he has said something about handing them out of the Park. Is that to be done, or is nothing to be done? The members of the Reform League have clearly stated what they mean to do, unless they change their minds. If the Government wishes to prevent a great calamity, it will do its duty and announce what it will do in the event of the Reform League carrying out its programme. I ask the Government to declare its intentions in this respect. It appears to me that the Government, in not answering the questions put to it, incurs a heavy responsibility. If the people are led to suppose that they can hold this intended meeting with impunity, subsequent interference would produce a sense of wrong. The people will think they have not been fairly dealt with. This, I think, is a fearful responsibility for a Government to assume. I make these observations in no hostile spirit. I put these questions simply in the cause of order. I do not ask you what measures you will take to suppress a riot. A riot is like a battle; events must be met as they arise. But while nothing has been done to rouse hot passions, it is of the last importance that you should tell us what you will do when the meeting has begun. Do you mean to dissolve the meeting and turn the people out of the Park? If they resist, do you mean to have recourse to force, and will you treat those who resist as criminals? Unless the Government announce what the people will have to expect if this meeting is held, the Government, in case of disturbance arising, will be charged with having caused a very great calamity.

Mr. NEATE said, that in deference to the wishes of the right hon. Gentleman (Mr. Gladstone), he desired, with the permission of the House, to withdraw his Motion.

IRELAND—THE FENIAN PRISONERS.

QUESTION.

Mr. MAGUIRE said, he objected to the withdrawal in order to give an opportunity to the Home Secretary to reply to the following Question, which he had put on the Notice Paper—namely, Whether the attention of the Secretary of State for the Home Department has been called to certain statements which lately appeared in the public newspapers in reference to alleged harsh and cruel treatment of prisoners undergoing penal servitude for political offences; and, if so, whether he has made any inquiry with respect to them, and taken any steps or given any instructions in consequence?

Mr. WALPOLE: My answer to the Question put by the hon. Member will at the same time answer to the wish he himself expressed when putting the Question—namely, that he hoped the statements to which he referred would be found devoid of foundation. As soon as I received notice of the hon. Member's Question, I directed inquiries to be made, and the result has been a Report upon the subject. I will not trouble the House by reading the lengthened statements which I hold in my hand, but merely the short answer to the allegations which have been made. It had been stated that Lynch died of the treatment which he received in gaol. The fact is that he died of consumption of long standing. Luby and Keane were said to have suffered from dysentery caused by gruel which was given to them. The fact is not so. To the assertion that the prisoners were all stripped naked and kept one hour waiting for the doctor at Portland, the answer is, "This is false." These papers enter into the circumstances of a variety of cases. One man was said to have broken two of his fingers. That is untrue. [Mr. Maguire: What about Roantree?] Roantree was said to have been suffering from a painful disease, and to have been kept at work till he was pronounced incurable. This is not true. O'Donovan Rossa is said to have undergone constant punishment. This was his own fault, for he seems to have been constantly rebelling against the laws of the prison. The allegations that the cells are damp and that the convicts were forced to work in the rain and were kept in their wet shirts are reported to be untrue. I wish to remark that I am giving merely a summary of the answers which are contained in the Reports. I am perfectly willing to put the Reports themselves into the hands of the hon. Member, and before I came down to the House I said that if there was any case in which, having read the papers, he was not satisfied, it was my wish that the hon. Gentleman should, by communication with Colonel Henderson, have the fullest opportunity of prosecuting further inquiries. As to the general question about prisoners undergoing penal servitude as Fenians being treated differently from those placed in penal servitude for other crimes, that is a very grave question to be discussed and decided, independently of present considerations. I do not offer any opinion upon that question at the present moment. It is a fair subject for discussion. But this is evident that there would be great difficulty in drawing a distinction between different classes of offenders condemned to similar punishments, and treating them in different modes. The hon. Member said the Fenian prisoners were classed with common felons and murderers. That is not correct; the Fenian prisoners, instead of being classed with such offenders, were kept apart.

Mr. MAGUIRE: You have not said anything about Kickham and the "monster of iniquity."

Mr. WALPOLE: The statement was that Kickham was associated at Woking with a monster in human form. The answer is that it was not so.

Mr. BAGWELL said, that the subject, because it was an Irish one, was treated with an amount of levity which would not be tolerated if the complaint proceeded from an English Member of irregularities in English prisons. The statement made by the Home Secretary was anything but satisfactory. In reply to allegations such as had been put forward, the fullest details instead of short answers ought to have been given. The statement as to the water-closets and several others were not denied. As regarded Lynch, said to have died of consumption of long standing, nothing was so likely to accelerate the fatal effects of consumption as depriving the invalid of his flannels. The answer of the Secretary of State and the reception given to this Motion showed that the House did not care what the opinion of Irish Gentlemen might be on this subject. A solemn silence would be preserved if complaints of cruelties in prisons were preferred with regard either to England or to Naples.

Lord NAAS: I think the remarks made by the hon. Member who has just sat down upon the reply of my right hon. Friend are very unjust. My right hon. Friend said he was quite prepared to place all these documents at the disposal of the hon. Member (Mr. Maguire), that the hon. Member might have an opportunity of verifying by these Reports the correctness and incorrectness of the statements made by him; and that it would be for the hon. Member, after perusal of those documents, in case he considered that course desirable, to say whether or not there was anything that he still thought it necessary to bring under the notice of the House. These documents are statements of great length, involving the most minute details, and it would be perfectly impossible for my right hon. Friend, within the ordinary limits of a speech, to go into all the questions to which they refer. If the hon. Member, having read these papers over, thinks that the prison officers have behaved in a cruel and unnecessarily harsh manner, it will be for him to bring those points in their conduct under the notice of my right hon. Friend, and if he fails to receive from my right hon. Friend that satisfactory answer which he thinks his inquiries deserve, he still has this House to appeal to. I can assure the hon. Gentleman that the last thing any Member of the present Government would sanction would be any unnecessarily harsh treatment of prisoners. The larger question, whether political prisoners ought to be treated in a different way from ordinary criminals, is one that cannot be decided now. There are arguments in favour of such a course, and there are, I think, stronger arguments against it. It would certainly have the effect of throwing upon the Executive Government the invidious duty of determining under what class of treatment particular criminals were to fall. Still, as I have said, the subject is a legitimate one for discussion. I believe that if the hon. Member for Cork will now make inquiries —and after what has passed to-night he is bound to make inquiries — and if he will examine carefully into these reports he will find, I think, that a great number of the statements which he has put forward have been grossly exaggerated. For those which he may find to be substantiated he will have no difficulty in obtaining a remedy.

Mr. MAGUIRE said, he would appeal to the indulgence of the House to grant him a hearing. He had not made the statement on his own authority. He had given his authority, and had inquired from the Government as to the accuracy or non-accuracy of the facts put forward. The challenge thrown out by the noble Lord he was willing to accept, but only in this sense:—If the Government gave him authority to examine the prisoners themselves. [" Order!"]

Mr. SPEAKER: It does not appear to me that this is a matter of such immediate urgency that the hon. Member should ask to put on one side the ordinary rules of the House. At the same time, and with the permission of the House, there would probably be no objection to his offering any remarks that may be necessary to clear up any point of moment; but for him to enter into a general statement would be irregular.

Mr. MAGUIRE said, that if he got permission to make a fair and not an *ex parte* investigation, he was willing to do so. If allowed to examine both sides in the prisons, he would devote a week to the purpose; otherwise he must decline.

Mr. BRADY said, he thought the proposal just made a very reasonable one. The truth could not, he believed, be elicited if the reference were merely to be to the gaol authorities, because they would not be expected to criminate themselves. He should be glad, in conjunction with his hon. Friends the Members for Cork and Tralee, to form a trio to examine into the subject if the noble Lord would give them the necessary authority. With respect to the man who was alleged to have died of consumption, if he had consumption no better way could be devised of accelerating his death than to take his flannels from him. The physician should have interfered to prevent that proceeding. There could be no doubt but that taking away the man's flannels had hastened his death.

Amendment, by leave, *withdrawn.*

INFECTIOUS DISEASES.

MOTION FOR AN ADDRESS.

SIR J. CLARKE JERVOISE said, he rose to move—

> "That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to cause such inquiry to be instituted as may lead to the better distinction between Contagious Diseases and such as are termed Infectious, so as to obviate, as far as possible, the loss, alarm, and injustice consequent on the theory of the infectious nature of certain Diseases when unsupported by demonstration."

He had risen at a late hour of the night for a discussion of the subject and under circumstances of great discouragement. There was a certain amount of surplusage in his Motion, because no restriction could be enforced which did not involve loss, alarm, and injustice, unless it was founded "on demonstration." Therefore those words had better be left out. They had heard a good deal of strong language in the course of the evening; but he might say, without exaggeration, that this was a question of the utmost importance. The theory of the conveyance of disorders by some mysterious agency from one person to another in our state of society must, he thought, be regarded as one of the most important matters which could engage their attention. It affected people in every position in life, every association, and meeting of persons in any capacity, whether at home or abroad. It might be viewed in its bearing not only on persons who were at liberty, but on a class of persons whose case had been under discussion that evening — namely, those who were placed in confinement. Nothing could be more shocking than that persons should be locked up in gaols under the idea that they might be subject to the influence of infectious disorders. It was also of great importance to our young and rising colonies, where the example set by the mother country would have great influence. In illustration of the evils endured by this class of persons, he might refer to a tale written by a French author, called the *Leper of Aosta,* which, he doubted not, was familiar to all that heard him. A poor leper and his sister were shut up in a tower and condemned to a miserable life of seclusion on account of their fearful malady. Their only companion was a little cur dog, and the sister having died the brother was left alone with the pet dog, which, however, the authorities ordered to be destroyed, in order to prevent the infection from being carried elsewhere; and the wretched man at last committed suicide to relieve himself from an insupportable existence. That tale was founded so much upon fact that it might be said to be almost a true representation of the state of things at the present time. The infectious nature of leprosy was believed in in many parts of India, where great cruelties were inflicted in connection with the precautions adopted in regard to those who suffered from that malady. He avowed himself a disbeliever in infection, and in specifics prescribed and recommended to protect persons supposed to be especially exposed to it. Precautions that were recommended were too complicated or costly for general adoption by those upon whom they were urged. What was the use of urging that no water should be drunk that had not been boiled if people were destitute of the means of boiling it. There were outbreaks of cholera at Southampton, and of scarlet fever at Aldershot Camp, and elsewhere, but medical men, trained nurses, and others in immediate contact with patients escaped the communication of the disease. If medical men carried infection to their own children, the patients of medical men were exposed to danger quite as much as the members of their own families. He had with him a paper containing the Report of two gentlemen who had been sent over to Russia by this country, at an expense of £396, to inquire into the infectious nature of a certain disorder. Though they reported that the disorder in question was not infectious, the Report went on to say that it would be desirable if persons coming from abroad with dangerous communicable diseases would so dispose themselves in lodging and seclusion as not to endanger the health of the community. This would be very well if persons knew what those dangerous communicable diseases were. What he desired was that a small commission should be formed, consisting of two persons—one the most eminent chemist that Europe could afford for love or money, and an eminent lawyer to sift the evidence. He had put a number of questions on this subject to various Governments.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to cause such inquiry to be instituted as may lead to the better distinction between Contagious Diseases and such as are termed Infectious, so as to obviate, as far as possible, the loss, alarm, and injustice consequent on the theory of the infectious nature of certain Diseases when unsupported by demonstration,"—(*Sir Jervoise Clarke Jervoise,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD ROBERT MONTAGU regretted that the question of the hon. Baronet (Sir J. Clarke Jervoise) had been so ambiguous, that he had not been able to divine to what it pointed. If he had known this he would have taken care to have informed himself more fully upon it. He confessed his ignorance of the circumstances of the outbreak of leprosy at Aosta, the infection of which (according to the hon. Baronet) had been carried by a little dog. A Commissioner had been sent to Russia to inquire into "the black disease," and this gentleman reported that the disease was not infectious, so that it did come under the Motion of the hon. Member. It was true that in the other House Earl Granville had said that it was so, and that a great many persons had died from it; but this was a mistake, Earl Granville seems to have had in his mind another disease which also existed in Russia, and which was highly infectious. This disease broke out among cattle, but was communicated to human beings; and according to the last Report to the Russian Government, upwards of 90,000 cattle were killed by it during the year and 3,000 men. As to the cattle plague, this was not the time for a cattle plague debate, the proper occasion for which would arise in a very short time when a Bill would be introduced on the subject. He was sorry to say, however, that there had been recently a fresh outbreak of cattle plague in London. The existence of the disease here had been suspected for some time, owing to the secret removal of cattle in large numbers from some dairies. At last it was ascertained that the disease existed in one dairy at Limehouse where there were thirty-nine cows, which all had the disease and all of which were killed. This happened in the preceding week, and he trusted that the slaughter of these cattle had prevented the further spread of the disease. With regard to contagious and infectious diseases; the two terms were treated pretty much as convertible; but infection was the larger term, denoting, in fact, the genus, while contagion indicated the species. In medical writings infection denoted the communication of disease. Infectious diseases were firstly those which were communicated from man to man; and secondly, those which were communicated by some fermentible or zymotic poison generated in the air, or at least external to man; such as malaria. The former species was denoted by the term "contagious diseases." And these are of two kinds, either immediate or communicated by the touch; or mediate, that is communicable by the breath or presence of a person, such as whooping cough and measles. Yellow fever was not contagious, though it was infectious. What possible harm, therefore, was there in Dr. Seaton's visit to the ship at the Motherbank? The disease was communicable by the air and not by contact with persons. Perhaps the hon. Member would say, "Why, then, impose any quarantine?" The answer was that it was not a medical but a commercial quarantine; it was imposed not through fear of the spread of yellow fever among persons in England, but in order that our ships and merchandise should not be subjected on arrival to quarantine abroad, and occasioned the loss which delay would entail. The modes and conditions of the propagation of preventible diseases were pretty well known by this time. There might be some few special diseases upon which additional knowledge was required. But surely the Health Office, in which there were two or three medical men of great scientific attainments and experience, afforded a better means of investigation than that proposed by the hon. Member—a Commission composed of a chemist and a lawyer. He did not know what would be the business of the lawyer, except, he supposed, to impose the interminable restrictions of the law upon the spread of disease. But the hon. Gentleman would see that with men who had spent all their lives in the investigation of the subject, and with all the appliances which were necessary at their command, the Privy Council were much more likely to arrive at sound conclusions and make valuable discoveries than the Commission which the hon. Baronet recommended. The hon. Baronet had alluded to the cholera. He was happy to say that upon this important subject most careful and accurate investigations had been carried on during the last year, the results had been tabulated, and in a few days a voluminous Report would appear, which, he trusted, would be satisfactory to the hon. Baronet. There were other points to which the hon. Baronet had called attention; but as he had considerable difficulty in hearing the hon. Gentleman's remarks, he trusted that would be sufficient excuse if he desisted from pursuing the subject further.

Amendment, by leave, *withdrawn.*

NATIONAL EDUCATION.—QUESTION.

MR. HUBBARD said, he rose to ask the Vice President of the Committee of Council on Education, Whether it is the intention of Her Majesty's Government that the Grants voted to promote Elementary Education be administered in strict conformity with the principles and regulations of the Revised Code, as approved by Parliament; with reference to Section 22 of the Revised Code, whether the number of scholars now considered adequate to maintain a school is greater or less than the number, thirty, for whom School Plans have been provided by the Committee of Council on Education; whether families interested in a proposed school will be allowed to decide for themselves the suitability of the religious denomination under which it is founded; and whether, in the event of a denominational school not being acceptable to all the families locally interested, its suitability will be determined by reference to the majority who can, or to the minority who cannot maintain it? He said, that in 1803 the number of scholars was not much more than 500,000, or about 57 in the 1,000 of the whole population. At present the number was supposed to be 2,500,000, or about 130 in the 1,000. The progress that had been made was therefore highly gratifying. The National Society, which had been in existence for half a century, had done a great deal; the number of children in its schools at present amounting to about 1,160,000. The British and Foreign School Society had also taken a very active and successful part. The Wesleyan Methodists and the Roman Catholics had also exerted themselves with great effect in promoting education. Much, likewise, had been done by the Education Department of the Privy Council which, constituted thirty years since, had been intrusted by the State with the distribution of funds for the object. The Education Department, indeed, had not only distributed the funds, but had applied themselves to the improvement of education. The result of their labours was that at the present moment the Government Inspectors examined about 12,000 schools containing about 1,262,000 scholars. After all that had been done, however, there was said to be about 500,000 children still in want of education. If we looked at the state of our prisons and reformatories, and judged by the evidence of our criminal statistics, we must admit that even though the deficiency be not so great as it had been represented, much still remained to be done. If education had not been carried as far as it ought, then we must look with regret upon any proceedings which might have the effect of staying its course. It would be found from the Returns issued by the Education Department that, having acted with great success up to 1859, the extreme point of the contributions made by the Committee of Council to the building of schools was then reached. Having given as much as £154,000 in building grants, they had year by year diminished those grants, until in 1865 they reached the comparatively low sum of £19,000, though the demand for education had not relaxed. We were bound to look for the cause of this remarkable falling off that we might see whether it could not be remedied. In order to judge fairly of the matter it was necessary to consider what had been done in both Houses of Parliament upon the subject. When the Educational Board was first constituted many very eminent friends of education were anxious to take the whole work out of the hands of denominational agents, and to make the system entirely secular. But the opinion of the House and the country was against such a proceeding, and the result was that year by year grants were made by Parliament for the purposes of education on what was designated the denominational system. This system was based upon the fundamental principle that education must comprise as one of its essential elements a certain amount of religious instruction. While, however, the State undertook to distribute amongst the various educational agencies the amount of money annually voted by Parliament, it left to the religious managers of schools the whole control of those schools and the responsibility of including in the education they gave that element of religious instruction stipulated for by the Legislature. If they looked through the papers presented to Parliament from time to time upon the subject of education, they would find an explanation of the falling off in the Government grants. In 1859 an attempt was made to economize the national expenditure. This was, of course, desirable; but he must express his regret that the subject of education had been selected for the purpose of exercising that economy. For, while we had been saving hundreds from school grants, we had, perhaps, been expending thousands in the repression of crime, and in the establishment of reformatories. The following was the mode in which the school grants were economized. Parishes comprising populations of something less than a thousand applied for a grant, usually through the clergy, and they were required to make a religious census of their people, or, in other words, to do what in that House had, on another occasion, been stigmatized as "ticketing." The taking of a religious census in any shape had been refused by Parliament. Therefore, when the Education Department imposed on the promoters of schools such an office, they took a course unwarranted by any authority from that House. But it was not merely the demand for a religious census, but the method of carrying out that demand which was reprehensible. In some cases it amounted to this—that where the school promoters were not able to distinguish between Churchmen and Dissenters they were told to draw the line of church attendance and to class all who did not go to Church as Dissenters. Therefore, the dissolute, the intemperate, and the idle, the very persons who most wanted education, were to be set down as Dissenters, and thus children were to be denied the education they required. If different denominations simultaneously applied for school grants the Department required them to reconcile their differences, and to unite in establishing one school before they would make a building grant; but everyone acquainted with the religious differences which existed in this country must be aware that they were not matters of caprice, but were generally the growth of habit or the result of honest conviction, and as such ought to be respected by Parliament and by the Committee of Council. Managers of the larger proportion of Church schools in the rural parishes were necessarily the clergy, whose liberality in the cause of education, far exceeding as it did that of the laity, was worthy of all praise. The education of the rural population rested mainly with them, and it was upon them that the Conscience Clause was sought to be enforced. The real effect of that clause was to give to any parent disapproving the doctrines of the Church a legal right to withdraw his child from all religious instruction and insist on his receiving a purely secular education. He believed that the practice of coupling grants with such a stipulation was contrary to the intention and feeling of the House. It was irreconcilable with the present denominational system. If it were enforced the consequence would be that the clergy would be disabled from extending as they desired the education of the labouring class. He could find nothing in the Revised Code to warrant any of these obstructions, and he wished to know whether the operations of the Department were to be guided by that Code or by some by-law which existed behind the scenes, and which was not subject to the control of Parliament. He desired such an extension of that Code as would adopt the principle of payment for results without insisting on the employment of certificated teachers. In touching on that point he could not help regretting that a gentleman conspicuous for his talents and for his zeal in the cause of education—he referred to Mr. Walter—was not now a Member of the House, since he would have taken a lively interest in a discussion on this subject. He had carefully considered the objections which were offered to the proposal of paying for results, and they had failed to convince him that it was not the natural expansion of the present system. He admitted that the object of the Department was not merely to extend, but improve education. Surely, however, payment for results was one of the most certain means of determining which system was the more successful. Was it fair or just to say to those whom they were reproaching for not educating the people, "Come and take one of our teachers, who will cost twice as much as the teachers you now employ?" The capitation grant should be given to any school in the country that deserved it, without reference to the teacher by whom the results had been obtained. If there was a great advantage to the country in having certificated teachers, let there be a contribution from the State *quoad* the employment of such teachers. The principle of our denominational system was that it was a religious system. He was convinced that in this country no other system could prevail. While as a free people we objected to despotic methods of education, we were anxious that children should early receive religious instruction, and should not be left to pick it up, or not, at a more advanced age. To supersede the denominational system for a system of rating would be a most disastrous step. It would entirely eliminate the religious element. It would deprive the country of the services of thousands of able and devoted men who now gave their valuable assistance, and it would involve the country in much greater expense. On all these accounts he deprecated any deviation from the present basis. He desired its extension and enlargement, being satisfied that had the Department acted more in accordance with the feeling of the English people so much educational destitution would not have now existed. He was anxious that the denominational system should be more faithfully adhered to by the Department. No misplaced economy should insist on the formation of a large school for a whole parish, when the feeling of the people was in favour of small denominational schools. It was much better frankly to acknowledge our religious differences, and to let all parties work as best they could in their own way than to try and force them to co-operate. The promoters of Church schools were resolute in their resistance to the obnoxious clause. No persuasions, threats, or fines would ever induce them to accept it. Even if the annual grants were made contingent upon its adoption the only result would be that the education of the people would be taken out of their hands, and that the State would have to undertake the task at a much greater expense to the country.

Lord ROBERT MONTAGU said, that after the very able and moderate speech of his hon. Friend, he thought he should have no difficulty in giving a satisfactory answer to his Questions. The first Question was—

> "Whether it is the intention of Her Majesty's Government that the Grants voted to promote Elementary Education be administered in strict conformity with the principles and regulations of the Revised Code, as approved by Parliament?"

He unhesitatingly answered in the affirmative. There was, moreover, no code of rules in the back-ground; no regulations of which Parliament was not cognizant and had not sanctioned. With regard to his hon. Friend's second Question, it arose from a misapprehension, as the School Building Grant had never once been refused on account of the sparseness of the labouring population. A school had been built for as few as twenty; another for only thirty children. The misapprehension arose from the fact that, in an early volume of the Minutes, the smallest plan of a school happened to be one for thirty scholars; and in a late volume the smallest plan was for forty-eight. But there is not, and never has been, a minimum limit to the size of a school. The hon. Gentleman had alluded to Section 22. The object of that section was to enable the Committee of Council to refuse another school where schools already existed, which were sufficient for the population. The House might suppose a case where a landowner possessing a large park with a cottage for his gamekeeper, and another for his coachman, and another for his gardener, might apply for a grant for the children of those persons. Such an application would be refused under Section 22 of the Revised Code. The hon. Gentleman conceived that in certain cases of large parishes of above 1,000 inhabitants, some of whom were Churchmen and some Dissenters, the Committee of Council were in the habit of telling them that they must sink their differences, in order that the Government might have to build only one school. That was a misapprehension; such a course was never taken. Nor did the Government compel a clergyman to "ticket his parishioners" or make a return of all his parishioners as either Churchmen or Dissenters. What they said was, "Tell us the proportion of Dissenters and Churchmen." Sometimes the clergyman returned the number of Dissenters in his parish at one-ninth; while the Dissenters returned themselves as one-fourth. The Committee of Council did not consider these two statements as necessarily contradictory and untrue; because the clergyman regarded all who went to church as Churchmen, while the Dissenters regarded all who went to chapel as Dissenters. Throughout the country many persons went to Church in the morning, and went to hear some favourite preacher at the Dissenting chapel in the evening. Such persons would therefore be counted among each congregation; both ministers would claim them. It was fair to remark, however, that such persons, and very many Dissenters likewise, repaired to the church clergyman for marriage, baptism, and frequently also for burial. Such persons seemed, therefore, to be rather Churchmen than Dissenters. But the view taken by the Committee of Council was that "Nothingarians" or persons who went to no place of worship were always to be counted as Churchmen. The reason was that, as there was a National Church in this country, it was presumed that those who did not claim to belong to other religions and did not frequent other places of worship belonged to the National Church. He now proposed to take the third and fourth questions together, and he thought it would be in his power to remove a little misapprehension which existed in the mind of the hon. Member. If an application came to the Government for a building grant for a school, and if the parish happened to contain more than 900 inhabitants, the Committee of Council would grant it; although there might be another application for an undenominational school for the same place; because they thought that such a parish was large enough for two schools. If, however, the parish contained less than 900 inhabitants, the Committee of Council inquired in that case what proportion of Dissenters there was in the parish. He might be asked why they fixed upon 900 as the limit. He answered that it was in order that they might not needlessly multiply the number of schools. But why should they guard against the unnecessary multiplication of schools? For three reasons. First, because of the injustice which would be involved in such an administration of the public funds. The Government had a limited sum to distribute throughout the country; and their object was to raise up schools as fast as they could, and advance a sound education speedily throughout the country. If, however, they set up two schools needlessly in one parish, they would not be able to build one school in some other parish. With a limited sum at command, they could not be profuse in one locality without defrauding and stinting another. Another reason was that they had to consult the convenience of the parishes themselves. One schoolmaster could only teach 150 children, and as that was the proportion of children of the school ages in a population of 900, the latter was the maximum number fixed upon for the population of a "single-school parish." Now, the principal expense of a school consisted in the payment of the schoolmaster, who received from £100 to £120 a year. If a parish of 900 inhabitants had two schools, there would be a double cost; and as the inhabitants would still give about the same sum in subscriptions for two schools as they would for one, and as the Government grant would be the same whether there were two schools or one school, the expense would be doubled while the income remained the same. The consequence would be that both schools would languish, become inefficient, degraded and moribund. Another reason was for the sake of discipline. A case had just come under his knowledge in North Wales, where there was a Church school and an undenominational school in one parish. If a boy were unruly, and were checked by his master, he felt his dignity offended, complained to his father, and left that school for the other. The state of the schools at last became so bad that the two masters came together, and each entered into a voluntary compact not to take any boys from the school of the other, without a *bene decessit* in writing. For this reason it was that in the country the Committee of Council endeavoured not to build two schools within three miles, at least, from each other. Therefore, on these three grounds — first, the economical administration of the public funds; secondly, the burden upon the parish itself, and the establishment of two bad schools, instead of one good one; and thirdly, on the ground of discipline—the Government had come to the decision to build only one school in parishes of less than 900 inhabitants, unless there were some special reason to the contrary. To return to the point from which he had digressed: if the parish contained fewer than 900 inhabitants, the Committee of Council wrote back to the promoters to ask how many Dissenters there were in the parish. If the promoters replied that there were fewer than one-sixth, the Committee of Council gave them the school they asked for, whether it were national, church, or undenominational. That rule had been laid down by the right hon. Member for Calne, on the principle *de minimis non curat lex ;* which meant, in this case, that the Government would not take account of less than one-sixth of Dissenters. If there were more than one-sixth of Dissenters, then it became a question whether the ground was clear or not—that is, whether a school did or did not already exist in the parish. If the ground was not clear, and there was a church school or an undenominational school for instance, then the Committee of Council could grant one school of the denomination required by the promoters, whether it were a church school or a national or other kind of school. If, on the contrary, the ground were clear, three cases might arise. In the first case the Dissenters might be in one corner of the parish, and in the contiguous corner of the next parish there might also be Dissenters. The Committee of Council then gave a Church school to the part where there were Church inhabitants only, and one undenominational school for the Dissenting portions of both parishes ; because the Dissenters did not care for the division of parishes. Another case that might arise was when the promoters said they did not choose to have a Conscience Clause, but would build a school for themselves without asking for a building grant. Then as soon as the school was built they came to the Committee of Council for annual grants. In the third case only it was that the promoters were required to accept a Conscience Clause. The Committee of Council said it would be unfair to the inhabitants of the parish, a large proportion of which were of a different religion, if the distinctive tenets of the majority were to be thrust upon the minority. A building grant would therefore be refused, unless they consented to receive the Conscience Clause. The Conscience Clause made no difference in regard to Church children. They still remained under the stringent Minute of August 10, 1840. The inspector would still be bound to examine them in the catechism, and to report on the religious character and discipline of the school. It was only in regard to Dissenters that the Conscience Clause took effect. The effect of the Conscience Clause was to withdraw the children of Dissenters from the class, during the period of religious teaching, if the parents especially objected to that teaching; and only if a specific objection was made. He thought the Committee of Council was bound to continue the practice which Parliament had sanctioned, and which had till now remained unchallenged by any direct vote in the House. He had procured a Return which he had that very day laid upon the table, and which would, he believed, be in the hands of Members in less than ten days. It was a Return from January 1, 1861, to March 31, 1867, of the awards of building grants. The awards of building grants for Church schools amounted to 867, the awards for all other schools, Wesleyan, Roman Catholic, Congregational, Baptist, Presbyterian, denominational of all kinds, and undenominational schools, were only eighty-seven ; making together 954. The number of applications for building grants for National and Church of England schools in which no Conscience Clause had been asked for by the Committee of Council, was 829. The number in which the Conscience Clause had been accepted was sixty-eight, and the number in which it had been refused was thirty-seven, during all those years. But of those thirty-seven proposed schools, twelve schools had been built without the building grant, and they now received annual grants. The number in which the Conscience Clause had been insisted on, but in which no answer had been returned to the office, was only five; and of these, two were already in the receipt of annual grants. The hon. Member would therefore see that the Committee was not very severe in the administration of the rule of which he had spoken. He might be asked who had devised the Conscience Clause? It had not been devised. The Conscience Clause had been forced upon them by circumstances. Formerly their operations had been carried on in populous places ; they had been engaged in building schools in towns and in large parishes which could maintain many schools. Thus they had been constructing schools for the various denominations. It was after these places had been supplied, in 1861, that they began to work in small, poor, one-school parishes. They had then to consider how they could best act with regard to economy of their funds and justice to all persons. They endeavoured to make the public fund go as far as possible, in order to bring education into every parish, and to spread schools over the country. Wherever practicable, they wished rather to have one school than two, merely on economical reasons, so that the sum which would build two schools in one parish, might adequately supply two parishes with one school each. Another principle which had constrained them to take this course was the principle of parental authority. This principle had been acknowledged by the law of the land. The Court of Chancery directed that orphans should be brought up in the religion of the father, even although the father was no longer alive. The hon. Member himself, in a pamphlet he published in 1865, acknowledged the justice of that principle, for he said—

> "The parent at his will exercises the right of determining where his children should attend public worship. The rules of the National Society do not forbid the exercise of this right. In the matter of education, all that Churchmen have a right to expect is fairplay and no favour, with equal liberty in the exercise of their means for educating the labouring classes."

The Committee of Council itself had been instituted on that very principle. The Order of Council appointing the Committee of Council on Education stated that it was

> "Her Majesty's wish that the children and teachers instructed should be duly trained in the principles of the Christian religion, while the rights of conscience should be respected."

But in all these things much depended, not on the plan, but on the spirit in which the plan was administered. Under the same Code one Vice President of the Council might act so as to make the rules appear most vexatious and unjust; another, under the same rules, might gain the confidence of all parties, and, by fairness and moderation, call out that local effort which was the necessary initiative in the spread of education. The hon. Member had spoken very truly of the clergy. Who were the Committee's best allies? Why, the clergy. The existence of schools was mainly due to their exertions. In nine cases out of ten who was it that applied for a school? The clergy. It was the clergy who took the initiative; it was the clergy who obtained local subscriptions, without which no step could be taken by the Committee of Council; it was the clergyman who undertook the onerous duty of being manager and correspondent; and when the school was built, it was the clergyman who laboured to make it efficient and to keep the master to his duty. In the Report of the Duke of Newcastle's Commission, vol. ii., p. 74, Mr. Fraser said that in Dorset on the average a clergyman subscribed eleven times as much as an average farmer, six times as much as an average householder, and twice as much as the landowners. Was it not plain that the existence of schools over the country was mainly due to the exertions of clergy? And why should they quarrel with their best allies? He was not speaking in a partizan spirit; he did not take a view which was prejudiced, partial, or too favourable to the clergy. The Commissioners, in vol. i., pp. 76, 77, reported deliberately to the same effect—

> "169 clergymen contributed £1,782, or £10 10*s.* each; 399 landowners, £2,127, or £5 6*s.* each; 217 occupiers, £200, or 18*s.* 6*d.* each; 102 householders, £181, or £1 15*s.* 6*d.* each; 141 other persons, £228. The rental of the 399 landowners was estimated at £650,000 a year. . . . . The heaviness of the burden borne by the clergy was imperfectly indicated even by such figures as these. It frequently happened that the clergyman considered himself responsible for whatever was necessary to make the accounts of the school balance. . . . He was the man who most felt the mischief arising from want of education. . . . He begged from his neighbours, he begged from the landowners; if he failed to persuade them to take their fair share of the burden, he begged from his friends and even from strangers, and at last submitted, most meritoriously and most generously, to bear not only his own proportion of the expense, but also that which ought to be borne by others."

If the end and object of the Committee of Council really was the spread of education, it was clear that they should take every advantage of the best means. They had not so much to press strangers into their service, as to gain the confidence and encourage the efforts of their friends and allies. What would be thought of a general if, at the commencement of a campaign, he were to bicker with his friends and quarrel with his allies; yet they were waging an internecine struggle, which promised to be a long one, against ignorance, depravity, degradation, darkness, and bad citizenship. He was not arguing for any change in the present system, but he desired rather to support it; and argued against any change that might rashly be made. Whenever they wished to inspire energy and secure really effective work they must lay hold on some popular impulse: and what impulse was so strong as religious feeling; or call it, if you like, sectarian zeal? It was for this reason that religious feeling had been made the fly-wheel of the educational machine. That was the reason why schools were denominational. That was the reason why our whole system had been made essentially denominational. That was why the Revised Code contained the rule that no schools (with one exception) were to be aided unless they were in connection with some religious body. Aye, and this instead of increasing sectarian feeling, really diminished it; for education was the best corrective of polemic fury and antidote to sectarian animosity. Education afforded the proper cure for narrowness and bitterness, as light always expelled darkness. While, on the other hand, if you stop education you nourish bigotry; and if you forbid religious teaching you bottle up a bursting effervescence of acrimony. The opposite system had been vigorously attempted. In 1839 the opposite course had been tried by Lord John Russell; but his undenominational plan came to nothing. Why? because it was undenominational. Every point upon which religions differed was to have been banished from the system. Peace and unity were to have been procured by washing out all differences of hue. He made a silent solitude and called it a happy peace. There was but a poor residuum left—a *caput mortuum* of religion. Therefore the people of England, who pride themselves on being religious, would not for a moment stand it. They were up in arms and put it down. In 1842, another attempt had been made, but it also came to nought, and melted away like the army of Theudas in the wilderness. All this time education lagged fearfully. A poor paltry £20,000 was all that was voted for education when there were no schools in the country. Then we were the lowest of all nations in education; our standard of education was the worst. Now, on the contrary, we were the highest. In 1833, 1 in every 11½ of the population were scholars on the books of day schools; in 1851, it was 1 in 8½; it 1858, it was 1 in 7·7. In France it was 1 in 9 of the population; in Holland it was about the same; while Prussia was in 1858 very slightly in advance of us. In 1848 the futile attempt to establish undenominational education was given up, after a long controversy about the management clauses; and Lord Lansdowne then allied the system with the religious bodies throughout the country. Instantly education began to spread; and now so much had it improved, that we could vie with any nation of Europe in our standard of education. Mr. Lingen was asked as follows by the Education Commissioners on the 30th of November, 1859:—

> "The general offer (that is, offer of aid) does not apply to secular schools?"

He answered—

> "No. The Bible must be taught. The school must either belong to one of those denominations which the Committee of Council has expressly recognised, or it must put itself under the Minute of the 3rd of December, 1839, which provides that religious instruction shall be given out of the Bible. A secular school professing that it did not give religious instruction would not be admitted to aid; that point has been ruled several times over."

The hon. Gentleman had alluded to the decrease in the amount of the building grants from £134,000, in the year 1859, to £24,000 in the present year; but the causes of that decrease were, first, that, after having made grants for so many years the demand for school buildings was of course not so great as it was formerly; the great bulk of the towns had been supplied, and the Committee of Council had gone far to fill the country; there was therefore not so great a demand; secondly, the amount of the grant had been reduced three-eighths, by the Minute of January 21, 1860—namely, from 4*s.* to 2*s.* 6*d.* per square foot, while the building grants for normal schools had been altogether stopped; and thirdly, the operation of the Revised Code had created a fear in the minds of the managers lest they should not be able to maintain their schools if they built them. That fear, however, had now a little passed away, and there had consequently been a considerable increase in the amount of the building grants during the present year. One difficulty to be contended with was that there were no less than 8,000 parishes, with populations under 500, which were as yet unsupplied; and the Committee of Council were obliged to wait until application was made to them before they could give grants for building schools in those localities. The Government, it must be remembered, had abandoned the initiative in education; their principle was to aid local and voluntary effort. The Committee of Council had done nothing to prevent the spread of schools in those places; but the larger and more populous places were naturally the first to call for schools. The Committee of Council anxiously waited for the clergy or others to move in the matter. He trusted that they would speedily do so. The hon. Gentleman was anxious that the necessity for certificated teachers should be got rid of, and that all payments should be made merely by results. But if that were done, they would be destroying their security for good education. Some learning can be measured as a result; but moral tone, discipline, religious feeling could not be measured and paid for. What was a certificated teacher? One who had conducted himself well for two years in his training under our eye, and who had every year been visited by the Inspector. Hence the moral and religious character of a certificated teacher was thoroughly well known, whereas that of the uncertificated teacher had still to be ascertained. He had endeavoured to answer the Questions of the hon. Gentleman to the best of his ability, and he trusted that he had done so satisfactorily. There was one rule that the Committee of Council endeavoured to follow, and that was to discharge the duty which Parliament had imposed upon them of promoting to the very utmost the education of the country, of raising schools, and of seeing that they were efficiently maintained.

Mr. BRUCE said, that while he could not admit the historical accuracy of the noble Lord's statement as to the negotiations between Church and State, he must express his satisfaction at the able speech he had just made. The noble Lord had appealed to him to say whether the standard of education in this country was not as high or higher than that of any other country in the world. In answer to that appeal, he must say that in the best schools assisted by Government the standard of education was equal, if not superior, to those of any other country. But he did not regard the average of our schools as equal to that of Prussia and some other countries. Without some such qualification of the denominational system as is given by the Conscience Clause, it would have been found unworkable, and the interference of Parliament would long since have been sought. It was only by the aid of such a clause that the system of Church schools in small parishes, erected partly out of public funds, could be defended. His complaint was that the position of those who administered the Parliamentary grant was not defined with sufficient accuracy. Too much was left to their arbitrary judgment as to whether they would impose or remit the Conscience Clause. The Committee of Council had, in the course they had taken with regard to this clause, acted, in his opinion, upon a just interpretation of the language of the Revised Code. He was sure that had anything like an exhaustive discussion taken place upon this subject, the principle of the Conscience Clause would have been applied to schools much more widely than at present. The noble Lord had insisted upon the liberality the Church had shown in a pecuniary sense. He (Mr. Bruce) was equally ready to admit that in a majority of instances there had been a corresponding liberality in a religious sense, with, however, some not infrequent exceptions. Some very curious facts had incidentally come to light before the Committee which had sat during the last two Sessions, under the presidency of the Secretary for War (Sir John Pakington). Mr. Collins, a diocesan inspector for Northamptonshire, who had fifteen schools under his inspection, and who was called to give evidence on the value of the teachers' certificate, was incidentally examined as to the Conscience Clause. He stated that the population of his parish was about 500, of whom 100 were Dissenters, Wesleyans, and Baptists. With the full concurrence of his rector, he had excluded absolutely from the school all the unbaptized children, who, so far as he knew, went to no day-school at all. He believed the rule in the village schools in his neighbourhood, in respect of the admission of Dissenters, was very much the same as in his own. Another gentleman, who attended from Mr. Walter's neighbourhood, stated that in his parish, with a population of 600, only forty-five attended the school. This was in consequence of a second school in connection with the British and Foreign Bible Society being erected on account of his refusal to allow the children of Dissenters to attend their own Sunday-school. He held in his hand the monthly paper of the National Society for March, 1867, which contained a letter signed "J. B. S.," on the failure of the present Sunday-school system, its cause, and its remedy. In adverting to the failure of the catechism as an instrument of religious instruction, the writer (the Rev. Mr. Sweet) said—

> "You may now question nine scholars out of ten throughout the country as to their own new birth, their own adoption and sanctification, their own relation to Christ, their own Church membership, their own part in the communion of saints, and their own personal interest in other branches of the Church, and in each other, as members of one body, or their own share in the common obligation of the whole Church to evangelize the world, without discovering that the very moderate

supply of dogma contained in our catechism is more than a dead letter as regards any practical influence on their affections, hopes, and habits."

To supply this failure of the catechism to impart the requisite dogmatic instruction, the writer proposed to teach to children, of whom three-fourths leave school under ten years of age, as follows:—

> "The nature, privileges, offices, and proper unity of the visible Church, or Body of our Lord Jesus Christ, must be carefully instilled; the proper conditions and objects of her connection with the State, in any given country, must be explained and justified; the accident of such connection carefully distinguished from her essential attributes; the commission, character, and power of her threefold ministry, and the nature of her sacraments, conditions of membership, and various rites and holy seasons, taught and enforced; her use of fixed forms of devotion, her creeds and synodal powers vindicated; and the nature and guilt of heresy and schism plainly laid down, and all must be illustrated from Holy Scripture."

That, however, was not enough. The child must not only be taught dogmatic truth, he must be guarded against the danger of imbibing dogmatic error.

> "Very closely connected with the suggestion of a more defensive teaching in Church schools is another of a kind the more perplexing to the conductors of town schools in proportion to its importance. It is that no day scholar should ever be allowed to attend a Dissenting Sunday school. You may allow him with comparative impunity to attend a 'Protestant Dissenters' meeting' provided he accompanies his parents; though even this must subject the doctrinal influence of the week-day labours to a violent wrench and a most crucial trial, too probably resulting in a sceptical habit of mind. But to allow him to be subjected to the libellous, not to say blasphemous, misrepresentations of the Church's doctrine which most of the sects practise savours of treason to the child's soul and to the Faith."

These being the dangers to be guarded against, the following rules were proposed for general adoption. First of all to—

> "Allow no day scholar, on any plea, to attend other than your own Sunday school."

He said—

> "If any scholar be allowed to be absent from your Sunday school, and also from Divine service at Church, let two conditions at least be insisted on—namely, that his parents take him to their place of worship twice on the Lord's day, and that he attend no Sunday school whatever beyond his home."

He then went on—

> "Let the baptism of every scholar be clearly ascertained, proper prayers taught for his daily use, and all unreality in teaching avoided. Then teach dogmatically, illustrating rather than proving to the child by Scripture; basing all personal appeal, in the first instance, on the doctrine of grace received, and obligation incurred in baptism—like St. Paul in Romans vi. and 1st Corinthians vi.—and always pointing the scholar onwards to the laying on of hands and Holy Communion."

In order to secure to the clergy the proper amount of authority his suggestion was—

> "Let the parish priest be clearly supreme in the government, as having the prime control of Christ's lambs next after the parents, and as exercising, by their accord, parental authority in the school. With grateful acceptance of lay assistance in every department of the work, and glad use of lay counsel in all things, let there be no 'committee' paralyzing government, and no divided authority perplexing the scholars, but a real though limited monarchy both in week-day and Sunday schools."

His summing up of the whole was as follows:—

> "Let no scholar fourteen years of age leave your school in ignorance of the nature and attributes of the visible Church, the duty and blessedness of unity in the Body, in the Faith, and in the Spirit (Eph. iv.), nor of the evils and guilt of heresy and schism; and let the prominent errors of Romanists, Protestant Dissenters, and of Latitudinarians be explained to the more advanced scholars by the clergy themselves, or under their guidance."

It might be said that these were only the words of a correspondent to the paper of the National Society; but the prominence given to a communication, which occupied ten out of the twenty pages of that periodical, showed that these views were not considered extravagant and unpractical by the literary organ of the great Church Education Society. Care ought therefore to be taken that the religious convictions of the parents should be properly respected, and that wherever the public money was granted, they should have the power of withdrawing the child from the religious teaching of the clergyman. He most cordially agreed, therefore, with the Report which had been presented by his right hon. Friend (Sir John Pakington), who had proposed that in all cases where grants were made from the public money the Conscience Clause should be thoroughly enforced. His own opinion was that no grant of public money ought to be made except upon that principle. He could not but express his disappointment that a principle of so much natural justice, and one about which, he might add, he had always met with but one opinion out of doors, should be opposed by a body so respectable, and possessing so many claims upon their gratitude and veneration, as the clergy of the Church of England.

THE CATTLE PLAGUE.—RESOLUTION.

Mr. FORDYCE: I rise to move the Resolution of which I have given notice—

"That this House is of opinion that the County of Aberdeen should receive the proportional amount of the Grant which the owners of cattle slaughtered under the compulsory Orders in Council would have received, in accordance with the Privy Council Regulations, had no Cattle Assurance Association been formed within the same."

It will be in the recollection of the House that during the prevalence of the rinderpest in this country, very arbitrary powers were given to the Privy Council. In August 1865, the Privy Council issued an Order making it compulsory upon the owners of cattle to slaughter their animals without compensation. During the course of the present Session, a grant of £55,000 was made to defray the expense of the cattle which had been slaughtered. Upon Aberdeenshire sending in its claims to a share of this money, to the extent of £824, the claim was disallowed. It was not denied that the cattle had been slaughtered in accordance with the instructions of the Privy Council and the Order of the Government Inspector; but the Privy Council said because there was a Rinderpest Association in the county by which the farmers had been paid, therefore they could not make any further payment. I venture to say—and in this I shall have the support of all the Scotch county Members—that if it had not been for the existence of the Aberdeenshire Rinderpest Association, £1,000,000 would not have covered the amount of loss which would have been sustained. They have therefore felt it to be their duty to apply for this grant. They used their best exertions to enable the Government to carry out their powers, and they have therefore a right to share in the compensation which other counties have received. It is a fallacy to say that the farmers have been re-paid by this Assurance Society. For every £100 which they received for slaughtered cattle they had paid so many pounds beforehand. Therefore, it cannot be said that they have been re-paid. It may be said that if Aberdeenshire is to receive this compensation, other counties in similar circumstances must also receive compensation. I do not see why they should not all receive compensation. From the Return which has been laid upon the table of the House it appears that the total number of cattle slaughtered during the existence of the Order of the Privy Council was upwards of 75,000, and if we take the value of these at £10 per head, and pursue the mode of distribution adopted by the Privy Council—namely, given one-half of the value, we get at a sum of £35,000, which is within the sum granted this year for compensation. [Lord Robert Montagu: The sum was £25,000.] At all events, the Government would not require any very large additional sum to meet all the claims, and it would be preferable to vote this additional sum rather than perpetrate an injustice.

Colonel SYKES, in seconding the Motion, said, the question was whether a distinction was to be made between different portions of the kingdom. The course pursued was to give compensation to those who followed a system, and to withhold it from those who invented it.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion that the County of Aberdeen should receive the proportional amount of the Grant which the owners of cattle slaughtered under the compulsory Orders in Council would have received, in accordance with the Privy Council Regulations, had no Cattle Assurance Association been formed within the same,"—(*Mr Fordyce,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Lord ROBERT MONTAGU said, that the claim made by the Aberdeen Association for refunding to them the compensation paid by them, rested upon two grounds. One was the general ground that unless the amount of compensation were refunded the Government would be offering a premium to imprudence, by compensating those who were careless and imprudent, and refusing compensation to those who had had foresight, and had provided funds to meet the exigencies of the case. The other was the special ground, that the Association was not a Mutual Assurance Association; but was formed to carry out the Orders of the Privy Council and to stamp out the plague; and that compensation had been offered merely to induce persons to give information when their animals were attacked, and induce them to co-operate with the society. It was urged that the Association was not formed for purposes of insurance, but was established simply for the purpose of inducing the farmers to consent willingly to the slaughtering of the cattle. No doubt the duties of the Government inspectors had been much facilitated while the compulsory slaughtering Order was in force, by the establishment of this Association. And after the compulsory Order had been withdrawn, the Association had bought up diseased cattle and had killed them. But it should be borne in mind that this Association had refused to compensate those who were not members of that body. There were two instances of such a refusal. From this it appeared evident that the Association was really a Mutual Assurance Association. This view was supported by the "Constitution and Rules of the Aberdeenshire Rinderpest Association, August 1865." Rule iv. is in these words—

> "The objects of the Association are, 1st, The Extermination within the county of the Cattle Disease, commonly known as the 'Rinderpest,' and 2nd, The Indemnification of Sufferers by this Disease, to the extent and subject to the Rules and Conditions after mentioned, or such Rules and Regulations as may from time to time be issued by the Central Committee."

And Rule xii. runs thus—

> "Sufferers by this disease who are not members of this Association, or members who shall infringe any of the preceding rules or regulations, or the rules, regulations, or precautions which may be issued under any Order in Council, having reference to the Rinderpest, or by the Central Committee, shall have no claim on, or right to the funds of the Association, but the Central Committee shall have power to indemnify such parties to such extent, and in such manner as they shall deem advisable for the public good."

He now turned to the general ground. This, as the hon. Member had acknowledged, would apply equally to all counties, and not to that of Aberdeen alone. In fact, it involved a question of the propriety of the Order of Council of December 1866. The £25,000 which had been granted by the House, had been estimated on the assumption that, under that Order, no associations would be refunded. If that Order was to be annulled the House must be asked to vote £10,000 more. In dealing with other cases on the same principle as it was now proposed to deal with the case of Aberdeenshire great difficulties would present themselves. In Norfolk and Warwickshire the farmers had been compensated from the local rates, and in some counties those farmers who had suffered losses were merely excused from the payment of the regular rates; in others the landlords had compensated the farmers; and would it, then, be proposed now to refund the money to the local rates and to the landlords? The principle now advocated by the hon. Member would lead to a whole host of new and unheard of claims upon which there could be no check, and the difficulties which would result from acting on it were sufficient to induce the House to pause before agreeing to the Motion of the hon. Member.

MR. FORDYCE said, that he only desired that compensation should be given on the same scale as that which had been laid down in other cases.

MR. R. W. DUFF said, he had been unable to discover any valid argument in the speech of the noble Lord why Aberdeenshire should be excluded from the benefits of the compensation fund because it had established an Association of its own. It was notorious that, among the crowd of schemes for the suppression of the cattle plague which occupied the attention of the House in the early part of last Session, the system adopted in Aberdeenshire was considered to be the most effectual, and it was ultimately adopted. It had worked excellently well in the county itself, and had preserved the northern districts of Scotland from the plague. The only reward that they had received at the hands of the Government was a refusal to allow them to participate in the benefit of the money voted for the compensation of sufferers from the disease. This was really placing a premium upon the carelessness, idleness, and indifference of those who had taken no pains to stamp out the plague.

MR. READ said, he should support the Motion. He admitted that his views were not altogether disinterested in doing so, for if the present proposal received the sanction of the House he should take an early opportunity of bringing forward a similar one, substituting "Norfolk" for "Aberdeenshire." The case of the two counties was precisely similar. On the outbreak of the plague an Association was established in Norfolk, £25,000 was subscribed. Rules and regulations for the extirpation of the disease were enforced. Infringements of the Privy Council Orders were prosecuted. Though the Government rendered no aid, and could not stop the fairs, so that the disease was repeatedly re-introduced after being stamped out, the loss of stock was confined to 6,000. But for the Association, 50,000 out of the 100,000 head of cattle in the county would have been lost. The return for all this energy, was that the farmers of Norfolk were refused any compensation for their losses. The funds voted for the purpose were entirely distributed among those improvident or indifferent persons who had stood by with folded hands while the disease was making its greatest ravages throughout the kingdom.

SIR WILLIAM STIRLING-MAXWELL said, he thought that the hon. Member (Mr. Fordyce) had made out a good case. Scotland, and, indeed, the country in general, owed a great deal to the farmers of Aberdeenshire for their pointing out the manner in which the plague might be met. But the noble Lord had clearly shown that the question was surrounded with difficulty. The hon. Member for Norfolk (Mr. Read) had made a strong claim for his county, and, doubtless, others could make an equally strong claim for theirs. Although he should vote with the hon. Member, he would prefer to leave the matter in the hands of the Government. He had promised to represent the case of Perth to the House. It had happened that the lord-lieutenant of Perth died just as the Cattle Plague Bill was passed. During the three weeks that elapsed before his successor was appointed, although the disease was rife in the district, the local machinery could not be set to work to stop it, or compensate the losers. All that the people of Perth, however, asked, was that the county should have power to assess its inhabitants for the relief of the sufferers at that time. He hoped that the Government would not refuse so reasonable a request.

MR. GRANT DUFF said, he was still of opinion, as he was last year, that it was unadvisable to meet the cattle plague by a public Act and rate. But he was bound to say that it seemed hard that those districts which had exhibited a disposition to help themselves should be permitted to suffer most. He hoped there would be no division, and that the matter would be left in the hands of the Government.

MR. M'LAREN said, he had been applied to to support the cause of Aberdeenshire, and had thought it an isolated case. The Vice President of the Council (Lord Robert Montagu), however, had given unanswerable reasons for refusing the request; and as the public revenue had already suffered far too much from the cattle plague, he should vote against the Motion.

MR. FORDYCE said, he would ask leave to withdraw his Motion. He hoped, however, that the Government would re-consider their decision.

Amendment, by leave, *withdrawn.*

DESIGNS FOR THE NEW COURTS OF JUSTICE.—RESOLUTION.

MR. LANYON said, that he desired, as an old member of the Royal Institute of Architects and as President of the Royal Institute of Architects of Ireland, to make a Motion with reference to the advisability of adding professional men to the judges of designs for the new Law Courts. He did not wish to make any imputation upon the judges at present appointed, or offer them any slight in taking this course. The competing architects had the most implicit confidence in the judges as men of honour, but feared they would be wanting in technical knowledge. If the Solicitor General had a great question with reference to the procedure of Chancery, would he bring it before a committee of architects? Or if a question of trade was to be decided on, would the bench of Bishops be the proper tribunal? He was aware that two professional men had been appointed to advise the judges. That was a step in the right direction, but it did not go far enough. Those two professional gentlemen were approved by the competing architects. They had every confidence in them, and it was desired that these two gentlemen should have the same power of voting in the final decision as the fully appointed judges had. It would be only fair towards the judges that they should be assisted in their deliberations by able and competent professional colleagues, as their decision, however righteous and impartial, must unavoidably be criticized by eleven disappointed men. To the public it would likewise be more satisfactory that the judges who were to decide upon this great work, one of the most important ever submitted to competition, should not wholly lack the professional element. He trusted the Government would re-consider the matter, and satisfy the reasonable desire of the competing architects.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is expedient that two professional architects should be added to the Committee appointed for the purpose of selecting a Design for the New Courts of Justice,"—(*Mr. Lanyon,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BERESFORD HOPE said, that as the mouthpiece of the Society of British architects he had already communicated to the Treasury the wishes of that body. The claim had been made before, and its justice had been admitted. What was urged against it was that it came too late. He could not see that it was too late to make the alteration suggested. One word of assent from his right hon. Friend (Mr. Cowper) on the part of the judges, would free the hands of the Government, and materially strengthen in public and professional estimation the tribunal of which he was a member.

MR. HUNT said, Her Majesty's Government had no wish in the matter save that of obtaining the best designs of competent architects. The five gentlemen, who, as at present arranged, were to constitute the judges, with the aid of two professional architects as assessors, were selected before the present Government came into office, as the result of conferences which took place in 1865. Though his hon. Friend (Mr. Bentinck) exerted himself last May to procure the addition to the tribunal of some professional members, he let the matter drop without effecting anything practical. [MR. BENTINCK: I beg pardon. The matter dropped in consequence of the dropping of the Reform Bill.] At all events, from May, 1866, till the present time the matter was never mooted, and the Government naturally supposed that the House acquiesced in the arrangement made by the late Government. If the gentlemen appointed as judges were of opinion that they would derive assistance from the appointment of additional members in the manner now proposed, the Government would offer no opposition to that course. But it was one which they could not sanction without previous communication with the gentlemen who had been already appointed, and had undertaken to act. Under these circumstances, he hoped his hon. Friend would not press the Motion.

MR. COWPER said, that as one of the Committee of five appointed to adjudicate upon these designs, he could entertain no possible objection to the proposal. In any case, very serious and onerous duties must be entailed upon the judges, and as the competitors had declared that the exclusion from the tribunal of professional opinions would not increase their confidence in its decisions, that declaration was entitled to the utmost consideration. The reason why the Committee originally was composed exclusively of unprofessional men was that it was supposed they would be unbiased in their opinions by any of those predilections or prejudices which professional training almost necessarily engendered. He thought that, under the circumstances, no objection to the proposal need be anticipated from other members of the Committee. After what had been said by the Secretary to the Treasury (Mr. Hunt) there was no necessity for pressing the Motion to a division.

MR. BENTINCK said, he was glad to find that the right hon. Gentleman (Mr. Cowper) had come to his senses on the subject since he had left office. He thought it highly desirable that whenever considerable sums of money were expended in connection with Art, the advice of professional men should be secured.

MR. LANYON said, he would withdraw his Motion. After what had fallen from his hon. Friend the Secretary to the Treasury he was quite prepared to leave the matter in the hands of the Government.

Amendment, by leave, *withdrawn.*

SCOTLAND—REPRESENTATION OF THE PEOPLE.—OBSERVATIONS.

MR. MONCREIFF said, he rose to call attention to the absence of information as to the intentions of Government relative to the Representation of the People in Scotland. When an inquiry was recently addressed to the right hon. Gentleman the Chancellor of the Exchequer on the subject, his reply was that it was desirable further progress should be made with the English Reform Bill before that for Scotland was brought in. He was anxious, if possible, to induce the Government to alter the determination on that point at which they seemed to have arrived. He thought it extremely desirable that before the English Bill made any further progress, the House should be made acquainted with the provisions of the Scotch measure. It was hardly reasonable to ask the representatives for Scotland to vote on the question of the English borough occupation franchise while they were kept in complete ignorance as to how far the principles of that franchise were to be applied to their own country. Setting aside differences of detail, the general principles of a Reform Bill applicable to England must be applicable to Scotland also. On the three former occasions on which a measure of Reform had been read a second time, in 1852, 1860, and last year, the Bill for Scotland was introduced before that for England went into Committee. The Chancellor of the Exchequer could hardly forget that on a former occasion his hon. Friend the present Under Secretary for India (Sir James Fergusson) brought forward a Motion—which was debated for three nights—while the English Bill was in Committee, to the effect that its further progress should be stopped until the Bills for Scotland and Ireland were introduced. That Motion, though not made in form, because it could not be so in accordance with the rules of the House, was strongly supported by the right hon. Gentleman, and he trusted he would in the present instance see the propriety of acting as far as possible in accordance with the views he then advanced. He was the more anxious that the Scotch Bill should be at once laid upon the table because a great deal of light might be reflected on the question of the borough franchise for England by the proposals it would contain. The peculiarity of the proposal with regard to compound-householders did not apply to Scotland, because there there was no Small Tenements Act, no compounding, and nothing corresponding to the rates in this country. The poor rate and other rates were, of course, levied there. But those charges were levied by separate bodies under separate statutes. The poor rate was not levied in every parish, though the number in which it was not was inconsiderable. That being so, it would be impossible to apply the principle bearing upon the case of the compound-householder to Scotland. In other words, the personal payment of rates was in that country the universal rule, and in its case, therefore, household suffrage with payment of rates would be nothing less than household suffrage pure and simple. There was, it was true, a provision that where the value of a tenement was under £4 the proprietor should be liable to pay the rates, and should be entitled to recover the amount afterwards from the tenant. But with that exception there was nothing at all which corresponded with the requirements of the English law on the subject. That being so, he should like to know how the case of Scotland was to be met in any Reform Bill which might be introduced. Was there to be household suffrage, without any restriction, or was the sharp, hard line of a £4 rental to be drawn as defining the qualification in boroughs. It would be singular if a £4 rental should be adopted in Scotland as the basis of the borough franchise after all the tremours and fears that were expressed last year about a £7 rental suffrage. He should express no opinion as to whether the proposal to give Scotland substantially household suffrage, pure and simple, was a sound one or not, all he meant to contend for was that if such a proposal was to be made it was time the fact should be known. He did not say they were going too far, but they might be going too fast. He would put it to the right hon. Gentleman and the House to say how long if household suffrage, pure and simple, were granted to Scotland it would be possible to retain in England even a shred of those restrictions which they had been engaged in discussing for the past few weeks. He hoped the right hon. Gentleman would be able to give an answer to his remarks which would be regarded by the Scotch Members as satisfactory.

THE CHANCELLOR OF THE EXCHEQUER: I am not at all surprised that the right hon. Gentleman who is a distinguished Scotch Member should feel a natural curiosity about the measure which the Government proposed to introduce with respect to the representation of Scotland. I am still less surprised that, having been also a distinguished Member of the late Government, he should take a fair and legitimate opportunity to make some criticisms on the past and probable future conduct of the Administration. As to the instance which he has adduced as an argument to prove that it is our duty to bring in a Scotch Reform Bill at an early period—I mean the Motion of my hon. Friend the Under Secretary of State for India (Sir James Fergusson), which was discussed at considerable length at the time, and which led to an important division—I can only say that I do not think it tells exactly in favour of the right hon. Gentleman's position, inasmuch as the Motion was unsuccessful. That being so, and wishing always to profit by experience, I must protest against the supposition that we, sitting on these Benches, are bound to adopt all those proposals which were unsuccessful while we sat on the Benches opposite. But nothing is more reasonable than the wish of the right hon. Gentleman that the House should be made acquainted with our intentions in reference to the Scotch representation. I much regret that no inconsiderable delay should have taken place on the subject. I trust, however, the right hon. Gentleman will, in extenuation of that delay, take into account the remarkable and peculiar difficulties which the Government and myself—to whom this business of Reform has been mainly intrusted in its management in this House—have had to encounter. The difficulties connected with the English measure have, in the first place, been very considerable. It is not easy to launch a vessel of such magnitude under any circumstances, but those which we had to contend with were unusually adverse. We have not had the advantage of an able coadjutor in the person of the Lord Advocate. I have felt very much the great inconvenience arising from that circumstance. Several questions have been asked me at different times by hon. Gentlemen connected with Scotland as to the nature of our Bill, and if I have not explicitly replied to them it has been only because I have been in daily hopes that I might have the opportunity of introducing the measure. One is often liable to misapprehension in giving answers to isolated points of inquiry. I hope the Bill will soon be in the hands of hon. Gentlemen. But I have no desire to avoid answering the questions put to me to-night by the right hon. Gentleman; and, after the delay which has unintentionally occurred, I will tell him, as nearly as I can, the character of the measure. It is framed upon the model of the English Bill, as I said it would be when I first noticed it in this House. With regard to the main provisions, they are founded on the same principles, so far as differences in the circumstances of the two countries will permit. With regard to the franchise, in which the right hon. Gentleman, by his inquiry to-night, is particularly interested—namely, the borough franchise, it is identical with that proposed in the English Bill. There is no hard and fast line. Every householder who is rated to the poor and who personally pays his rates will possess the franchise. I deny that in the English Bill there are heavy restrictions. That is a complete misapprehension of the right hon. Gentleman. The conditions of the borough franchise in England are the being rated to the poor and personally paying the rates. These are the same conditions which we have introduced into the Scotch Bill. If Scotland is not blessed with the compound-householder, that is "one of the results of modern civilization," on which she may be congratulated. The Bill which we are about to introduce with regard to the representation in Scotland is, I repeat, framed on the same principle as the English Bill. The franchise for boroughs—respecting which the right hon. Gentleman is desirous of having explicit information—is identical with the borough franchise proposed for England. If this Bill passes every householder in a Scotch burgh who is rated to the poor, and personally pays his rate, will be entitled to a vote. There is another point on which the right hon. Gentleman made some observations, and I beg to state that on that point, as on the previous one relating to the franchise, Her Majesty's Government will be found to have fulfilled their promise. It is the opinion of the Government that the representation of Scotland is not sufficient. We believe that the claims of that country to increased representation are of a character which, on a general revision of this question, cannot be denied. We shall make a proposal on this subject which we think will be deemed fair and adequate. I trust that I have now answered the inquiries of the right hon. Gentleman with sufficient explicitness. If there be any point which I have omitted I shall be glad to be reminded of it. I can tell him, with great satisfaction I hope to him, and certainly to myself, that the Bill is not only drawn, but printed—that I have a proof copy of it in my possession, and that I hope to be able to introduce it on Thursday.

MR. ESMONDE said, he wished to ask, whether the Irish Reform Bill would be introduced at the same time as the Scotch Bill?

THE CHANCELLOR OF THE EXCHEQUER: I am afraid we shall not be able to bring it in at the same time; but we shall attend to the interests of Ireland.

Original Motion, by leave, *withdrawn.*

Committee *deferred* till Monday next.

MEETINGS IN ROYAL PARKS.

LEAVE. FIRST READING.

MR. WALPOLE moved for leave to bring in a Bill for the more effectually and better securing the use of certain Royal Parks and Gardens for the recreation and enjoyment of Her Majesty's subjects. He said, that the object of the measure was to enable the law to be better enforced, not to alter it excepting as to the remedy. The Bill provided that no meeting of a public character should take place or be held without the permission of Her Majesty in any of the Royal Parks within the metropolis; and that any person convening, or assisting in convening, any public meeting in contravention of that Act, or any person joining or taking part in such a meeting, should be liable to be arrested and summarily convicted on application before one of the police magistrates, and on his conviction should be liable either to a penalty not exceeding £10, or to be imprisoned for a term not exceeding two months.

MR. WHALLEY said, he wished to ask, whether there was any difference in the right hon. Gentleman's view between the meeting to be held in the Park on Monday and the meeting held there in July last? If there were any such difference, what was it? He was not speaking in the interests of the Reform League, for, if he had any voice with that body, he would try and put an end to the meeting. He was anxious to see the rather unsatisfactory conclusion of the previous discussion which had taken place that evening cleared up.

MR. WALPOLE said, he had only to repeat that it would be the object of the Government to do nothing whatever which might tend to provoke a breach of the peace. At the same time, seeing what the law was and what the rights of the Crown were, they must take the necessary measures of precaution, so as to guard against any breach of the peace or any damage to life or property. With that object a sufficient force would be prepared and ready. He hoped, however, that seeing the conciliatory spirit in which the Government had acted, other parties would take such a course that there would be no probability of danger or of disturbance.

Motion *agreed to.*

Bill for the better and more effectually securing the use of certain Royal Parks and Gardens for the enjoyment and recreation of Her Majesty's Subjects, ordered to be brought in by Mr. Secretary WALPOLE, Lord JOHN MANNERS, and Mr. ATTORNEY GENERAL.

Bill *presented,* and read the first time. [Bill 134.]

House adjourned at One o'clock,
till Monday next.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CLXXXVI.

SECOND VOLUME OF THE SESSION 1867.

EXPLANATION OF THE ABBREVIATIONS.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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Purchase of Commissions, Motion, "That, in the opinion of this House, the system of purchasing Commissions in the Army tends greatly to diminish the efficiency of our Military Force" (*Mr. Trevelyan*) *April* 30, 1787; after long debate, A. 75, N. 116; M. 41
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War Office, Question, Mr. O'Beirne; Answer, Mr. Hunt *April* 1, 910; Motion for a Select Committee (*Lord Eustace Cecil*) *April* 5, 1175; Notice withdrawn; Question, General Dunne; Answer, Sir J. Pakington *April* 12, 1582

Arrest for Debt (Ireland) Bill
(*Sir Colman O'Loghlen, Mr. Blake*)
c. Ordered; read 1o* *April* 5 [Bill 110]

Artizans' and Labourers' Dwellings Bill
(*Mr. M'C. Torrens, Mr. Kinnaird, Mr. Locke*)
c. Read 2o, after debate *Mar* 27, 666 [Bill 14]

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Question, Mr. Beresford Hope; Answer, Lord Robert Montagu *Mar* 29, 815

Associations of Workmen Bill
(*Mr. Neate, Mr. Thomas Hughes*)
c. Moved, "That the Bill be now read 2o" (*Mr. Neate*) *April* 10, 1448 [Bill 21]
Debate adjourned

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(*Mr. Denman, Mr. Vance, Sir John Ogilvy*)
c. Moved, "That the Bill be now read 2°" (*Mr. Denman*) *April* 2, 1060 [Bill 53]
After short debate, Moved, "That the debate be now adjourned" (*Mr. Ayrton*); A. 101, N. 100; M. 1

Austria and Denmark—Agriculture of—Professor Wilson's Report
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Bankruptcy Acts Repeal Bill
(*Mr. Attorney General, Mr. Secretary Walpole, Mr. Solicitor General*)
c. Read 2°* *April* 4 [Bill 76]
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Bankruptcy Bill
(*Mr. Attorney General, Mr. Secretary Walpole, Mr. Solicitor General*)
c. Question, Mr. Norwood; Answer, The Attorney General *April* 1, 909
Read 2°* *April* 4 [Bill 74]
Question, Mr. Goschen; Answer, The Attorney General *April* 4, 1110
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Question, Mr. Monk; Answer, The Attorney General *April* 1, 902

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(*Mr. Solicitor General for Ireland, Lord Naas*)
c. Ordered; read 1°* *Mar* 22 [Bill 86]
Read 2° *Mar* 28, 796
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(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer*)
c. Resolution; Bill ordered* *May* 2
Read 1°* *May* 3

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(*The Duke of Richmond*)
l. Read 1ª* *April* 11 (No. 80)
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Bunhill Fields Burial Ground Bill
(*Mr. Crawford, Mr. Goschen, Sir Morton Peto, Mr. Remington Mills*)
c. Ordered, after short debate; read 1° *April* 2, 997 [Bill 107]

Burials (Ireland) Bill
(*Mr. Monsell, Mr. Sullivan*)
c. Resolution; Bill ordered; read 1°* *April* 4 [Bill 109]

BUTLER-JOHNSTONE, Mr. H. A., *Canterbury*
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(*Mr. Dodson, Mr. Adderley, Mr. Chancellor of the Exchequer, Mr. Hunt*)
c. Resolution (*Mr. Adderley*) *Mar* 28, 736; after long debate, A. 247, N. 67; M. 180
Bill ordered; read 1°* *Mar* 29 [Bill 99]
Read 2°, after short debate *April* 1, 972
Committee*; Report *April* 4
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Read 3^a, after short debate, and passed *April* 11, 1453 (No. 73)
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Cornwall, Question, Mr. H. E. Surtees; Answer, Lord Robert Montagu *Mar* 28, 731
County of Aberdeen, Amendt. on Committee of Supply *May* 3, To leave out from "That," and add "this House is of opinion that the County of Aberdeen should receive the proportional amount of the Grant which the owners of cattle slaughtered under the compulsory Orders in Council would have received, in accordance with the Privy Council Regulations, had no Cattle Assurance Association been formed within the same" (*Mr. Fordyce*), 2013; Question, "That the words, &c.;" after short debate, Amendt. withdrawn
Gloucester, Cattle Market at, Question, Mr. Monk; Answer, Lord R. Montagu *Mar* 28, 735
Importation of Foreign Cattle, Question, Major Jervis; Answer, Lord Robert Montagu *April* 4, 1106
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- Sale and Purchase of Shares, Comm. 99
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- Canada Railway Loan, Comm. 747
- Church Rates—Mr. Grant of Kettleburgh, 1583
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- Army—War Office, Motion for a Committee withdrawn, 1175
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- Toomer, John, Case of, Motion for Papers, 1226

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- Easter Holydays, 911, Motion for Adjournment, 1587, 1592
- Election Petitions Committees, 1336
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- Representation of the People (Ireland), 289, 818, 1785, 2024
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- Young, Mr., Pension to, 444, 445

Chatterton, Mr. H. E., (Attorney General for Ireland), *Dublin University*
- Court of Chancery (Ireland), Comm. 449; *cl.* 11, 450; *cl.* 40, Amendt. 1164; *cl.* 88, 1165, 1166
- Criminal Law, 3R. 1416
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- Petit Juries (Ireland), 2R. 95
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Chelmsford, Lord (see also Chancellor, the Lord)

Chester Courts Bill
(*Earl Grosvenor, Mr. William Henry Gladstone*)
c. Committee*; Report *Mar* 19 [Bill 69]
Considered as amended * *April* 4 [Bill 108]
Read 3° * *April* 8
l. Read 1ª * (*The Lord De Tabley*) *April* 9 (No. 77)

CHILDERS, Mr. H. C. E., *Pontefract*
Bridges (Ireland), 2R. 797
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Fortifications (Provision for Expenses), 2R. 1259
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Navy Estimates—Men and Boys, Amendt. 321, 360, 362, 448, 950, 970
Navy—Paddle-Wheel Steamers, Motion for Papers, 209;—Promotion in the, Res. 307
Transportation to Western Australia, 1173

Church Discipline Act Amendment Bill
(*Mr. Whalley, Mr. Kennard*)
c. Ordered; read 1° * *April* 12 [Bill 124]

Church of England
Colonial Churches, Petition of Bishop, Clergy, and Laymen of the United Church of England and Ireland, in the Diocese of Sydney, Australia (*The Earl of Harrowby*) and of Victoria (*The Earl of Carnarvon*) *Mar* 22, 372, after long debate, Petitions ordered to lie on the table
Colonies, The Church in the, Question, Mr. Chichester Fortescue; Answer, Mr. Adderley *Mar* 21, 290
Church Rates—Mr. Grant of Kettleburgh, Question, Mr. Thomas Cave; Answer, Mr. Walpole *April* 12, 1583
Ritualistic Practices, Petitions presented (*The Marquess of Westmeath*) *April* 9, 1328; after short debate, Petitions to lie on the table; Personal Explanation (*The Duke of Marlborough*) *April* 11, 1453
West Indies—Ecclesiastical Establishment in the, Resolution (*Mr. Remington Mills*); Motion not in Order *Mar* 29, 887

Church Rates Abolition Bill
(*Mr. Hardcastle, Mr. Baines, Mr. Trevelyan*)
c. Moved, "That the Bill be now read 2°" (*Mr. Hardcastle*) *Mar* 20, 215
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Beresford Hope*), 220; after long debate, Question, "That 'now' &c.," A. 263, N. 187; M. 76; main Question agreed to; Bill read 2° [Bill 13]
Division List, Ayes and Noes, 247

Church Rates Commutation Bill [Bill 15]
(*Mr. Newdegate, Colonel Stuart*)
c. Moved, "That the Bill be now read 2°" (*Mr. Newdegate*) *Mar* 20, 250
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Serjeant Gaselee*), 264; Question, "That 'now,' &c.," A. 45, [*cont.*

Church Rates Commutation Bill—cont.
N. 177; M. 132; words added; Division List, Ayes and Noes, 265
Main Question, as amended, agreed to; second reading put off for six months

Church Rates Regulation Bill
(*Mr. Hubbard, Mr. Beresford Hope*)
c. Second Reading deferred, after short debate *Mar* 20, 266 [Bill 42]

Churchward, Mr., Case of
Observations, Major Dickson; Reply, Mr. Taylor *Mar* 18, 5; Question, Mr. Bentinck; Answer, Mr. Taylor *Mar* 19, 123
Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions for the removal of Mr. Churchward from the Commission of the Peace for the Borough of Dover" (*Mr. Taylor*) *Mar* 19, 167
After debate, Amendt. moved, To leave out from "removal of," in order to add "all persons in the Commission of the Peace of any County, City, or Borough who have been found, either by Committees of this House or by Royal Commissions guilty of, or privy or assenting to, corrupt practices at Parliamentary Elections" (*Mr. Bentinck*), 180
After further debate, Question, "That the words, &c.;" A. 141, N. 161; M. 20; Division List, Ayes and Noes, 203
Question, "That those words be there added;" after further debate, words added; main Question, as amended, agreed to
Question, Mr. Serjeant Gaselee; Answer, Mr. Walpole *Mar* 21, 280
Her Majesty's Answer to Address reported *Mar* 25, 466
Question, Mr. Serjeant Gaselee; Answer, Mr. Walpole *Mar* 25, 471; Question, Mr. Serjeant Gaselee; Answer, Mr. Speaker *April* 11, 1477
(See *Corrupt Practices at Elections—Removal of Magistrates*)

Civil Service Examination
Question, Mr. H. Lewis; Answer Sir Stafford Northcote *April* 8, 1265

CLANRICARDE, Marquess of
Ecclesiastical Titles Act, Address for a Return, 714
Tenure (Ireland), 2R. 1324
"Tornado," Case of the, 561, 1261, 1263, 1870

CLARENDON, Earl of
Russian America—Cession of, to the United States, 979
"Tornado," Case of the, 1261, 1264

CLAY, Mr. J., *Kingston-upon-Hull*
Representation of the People, Comm, 1276, 1491

Clerical Vestments
Observations, The Archbishop of Canterbury *Mar* 26, 559; Observations, The Earl of Shaftesbury *Mar* 28, 703

Clerical Vestments Bill [H.L.]
(*The Earl of Shaftesbury*)
l. Bill withdrawn* *April* 5 (No. 39)

Clerical Vestments (No. 2) Bill [H.L.]
(*The Earl of Shaftesbury*)
l. Presented; read 1ª* *April* 5 (No. 72)

CLEVELAND, Duke of
Ecclesiastical Titles Act, Address for a Return, 714

CLIVE, Mr. G., *Hereford*
Mines and Miners, 400
Toomer, John, Case of, Motion for Papers, 1215
Turnpike Trusts, 2R. 1842

COCHRANE, Mr. A. D. R. W. Baillie, *Honiton*
Fire Insurance, Res. 133
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l. Read 3ª* *Mar* 18
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Consolidated Fund (£7,924,000) Bill
c. Read 1º* *Mar* 20
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l. Read 1ª* (*The Earl of Belmore*) *Mar* 26
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Constabulary, Reports of Inspectors of
Question, Mr. Whitworth; Answer, Mr. Walpole *April* 4, 1109

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Question, Mr. Alderman Lusk; Answer, Mr. Hunt *Mar* 22, 391

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(See *Churchward, Mr., Case of*)

Corrupt Practices at Elections Bill
(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Mr. Hunt*)
c. Ordered, after short debate; read 1º *April* 9, 1382 [Bill 119]
Question, Sir George Grey; Answer, The Chancellor of the Exchequer *April* 11, 1485; Question, Mr. Adair; Answer, The Chancellor of the Exchequer *May* 2, 1879
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CORRY, Right Hon. H. T. L. (First Lord of the Admiralty), *Tyrone Co.*
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County Rates
Question, Mr. Wyld; Answer, Mr Walpole *Mar* 29, 815

County Treasurer (Ireland) Bill
(*The O'Conor Don, Colonel Greville-Nugent, Mr. Synan*)
c. Ordered; read 1º* *Mar* 26 [Bill 91]

Court of Chancery (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Committee—R.P *Mar* 22, 448 [Bill 47]
Committee—R.P. *April* 4, 1164

Courts of Justice, Designs for the New
Amendt. on Committee of Supply *May* 3, To leave out from "That," and add "in the opinion of this House, it is expedient that two professional architects should be added to the Committee appointed for the purpose of selecting a Design for the New Courts of Justice" (*Mr. Lanyon*), 2018; Question, "That the words, &c.;" after short debate, Amendt. withdrawn

Cowen, Mr. J., *Newcastle-upon-Tyne*
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Cowper, Right Hon. W. F., *Hertford*
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Cranworth, Lord
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Attorneys, &c. Certificate Duty, 2R. 1063
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Crawford, Mr. R. W., *London*
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Canada Railway Loan, 2R. 972
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Criminal Law
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Kingston Assizes, Increase of Sentences, Question, Mr. Gilpin; Answer, Mr. Walpole *April* 1, 903; Observations, Mr. Gilpin; Reply, Mr. Craufurd *April* 5, 1201

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Toomer, John, Case of, Question, Sir Robert Collier; Answer, Mr. Walpole *April* 1, 904; Observations, Sir Robert Collier; long debate thereon *April* 5, 1203
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(*Mr. Russell Gurney, Mr. Coleridge*)
c. Committee; Report *Mar* 27, 699 [Bill 8]
Considered as amended* *April* 5
Read 3°, after short debate, and passed *April* 9, 1415
l. Read 1ª* (*The Lord Cranworth*) *April* 11 (No. 81)

Criminal Lunatics Bill
(*Mr. Secretary Walpole, Mr. Attorney General*)
c. Comm. (*re-comm.*)*; Report *Mar* 18
Read 3°* *Mar* 19 [Bill 41, 67]
l. Read 1ª* (*The Earl of Belmore*) *Mar* 21
Read 2ª, after debate *April* 2, 975 (No. 55)
Committee; Report *April* 4, 1101
Read 3ª* *April* 5
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Crossley, Sir F., *Yorkshire, W.R.—N.*
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(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Hunt*)
c. Ordered* *April* 5
Read 1°* *April* 8 [Bill 113]
Read 2°* *April* 29

"Cyclone," The Owners of the
Question, Mr. Gregory; Answer, Lord Stanley *Mar* 28, 731

Dalglish, Mr. R., *Glasgow*
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Dawson, Mr. R. Peel, *Londonderry Co.*
Ireland — Escape of John Kirwan, 1583;—Fenianism, 1931
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Ireland — Constabulary, Motion for Returns, 461
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Dering, Sir E. C., *Kent, E.*
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Metropolitan Poor, 2R. 102; Comm. 390; 3R. 465

Dick, Mr. W. W. Fitzwilliam, *Wicklow Co.*
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Dickson, Major A. G., *Dover*
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Dillwyn, Mr. L. L., *Swansea*
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Financial Statement, 1159
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Offices and Oaths, Comm. Preamble, 1385
Representation of the People, Comm. *cl.* 3, 1535, 1698
Witnesses (House of Commons), Motion for Papers, 1380

Down and Connor, Bishop of
Ecclesiastical Titles Act, Address for a Return, 709

Dublin University Professorships Bill
(*The Earl of Kimberley*)
l. Read 1^{a}* *Mar* 18 (No. 48)
Read 2^{a}, after short debate *Mar* 28, 705
Committee*; Report *April* 1
Read 3^{a}* *April* 2
Royal Assent *April* 5 [30 *Vict.* c. 9]

Duff, Mr. M. E. Grant, *Elgin, &c.*
Cattle Plague, Res. 2017
Navy—Promotion in the, Res. 305

Duff, Mr. R. W., *Banffshire*
Cattle Plague, Res. 2016

Dufferin, Lord
Young, Mr., Pension to, Explanation, 454, 457

Dunkellin, Lord, *Galway Co.*
Ireland—Court of Exchequer, 1786

Dunlop, Mr. C. S. M., *Greenock*
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Dunne, Major-Gen. F. P., *Queen's Co.*
Army—War Department, 1582
Court of Chancery (Ireland), Comm. *cl.* 4, 449; *cl.* 41, Amendt. 1164
Ireland—Inspectors of Weights and Measures, Motion for a Committee, 415;—Disturbances in, Rewards to Constabulary, 419;—Constabulary Superannuation, 893
Promissory Notes (Ireland), 2R. 1862
Sea Coast Fisheries (Ireland), 2R. 1099
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Duty on Dogs Bill
(*The Earl of Belmore*)
l. Read 2^{a}* *Mar* 18 (No. 42)
Committee*; Report *Mar* 19
Read 3^{a}* *Mar* 21
Royal Assent *Mar* 29 [30 *Vict.* c. 5]

Earle, Mr. R. A., *Maldon*
Representation of the People, Comm. *cl.* 3, 1574

Ecclesiastical Commission
Cathedral and Collegiate Churches, Question, Mr. Bentinck; Answer, Mr. Mowbray *Mar* 18, 3
Dean and Chapter of Westminster, Question, Mr. Bentinck; Answer, Mr. Mowbray *April* 8, 1266
Whitby Rectory, Question, Mr. Bagnall; Answer, Mr. Howes *Mar* 26, 565

Ecclesiastical Titles Act
Moved, That an humble Address be presented to Her Majesty for, Return of any Actions brought or Penalties recovered under the Second Clause of Cap. 60., 14th and 15th Vict., commonly called "The Ecclesiastical Titles Act" (*The Lord Lyveden*) *Mar* 28, 706; after debate, Motion agreed to

Ecclesiastical Titles Act Repeal Bill
(*Mr. MacEvoy, Mr. M'Kenna, Mr. Leader*)
c. Ordered, after short debate *Mar* 21, 364
Read 1°* *Mar* 22

Education, Compulsory
Question, Mr. Fawcett; Answer, Mr. Walpole *Mar* 29, 818
Educational Grants, Amendt. on Committee of Supply *April* 5, To leave out from "That," and add "this House dissents from so much of the Minute of the Committee of Council on Education as provides for an increase of the Grants now made to Primary Schools" (*Mr. Lowe*), 1176; after debate, Question, "That the words, &c.;" A. 203, N. 40; M. 163
Revised Code, The, Question, Mr. Hubbard; Answer, Lord Robert Montagu *May* 3, 1995; long discussion thereon

Education of the Poor Bill
(*Mr. Bruce, Mr. William Edward Forster, Mr. Algernon Egerton*)
c. Ordered; read 1°* *April* 5 [Bill 111]

Edwards, Sir H., *Beverley*
Easter Holydays, Adjournment for the, 1590
Ireland—Administration of Justice, Motion for Papers, 883, 884, 886
Representation of the People, Comm. *cl.* 3, 1697, 1698

Edwards, Mr. C., *Windsor*
Railway Debentures, 289

Egerton, Hon. W., *Cheshire, N.*
Printworks, Juvenile Labour in, 1478

Elcho, Lord, *Haddingtonshire*
Burlington House Site, 1246
Business, Public, 1319
Easter Holydays, Adjournment for the, 1594
Hyde Park—Reform Meeting, 1978
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Mines and Miners, 412
National Gallery, The New, Motion for Papers, 834
Public Health (Scotland), 2R. 1317
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Elcho, Lord—*cont.*
Representation of the People, Comm. 1495
Scotland—Management of Scotch Business in Parliament, 412

Ellenborough, Lord
Ireland—Constabulary, Motion for Returns, 462

Enfield, Viscount, *Middlesex*
Poplar, Distress in, 1266

Erskine, Vice-Admiral J. E., *Stirlingshire*
Navy—Promotion in the, Res. 303

Esmonde, Mr. J., *Waterford Co.*
Bridges (Ireland), 1483
Court of Chancery (Ireland), Comm. *cl.* 88, Motion for Adjournment, 1166
Ecclesiastical Titles Act Repeal, Leave, 369
Ireland—Representation of the People, 818, 2024;—Administration of Justice, Motion for Papers, 884, 887;—Fenianism, 1932
Offices and Oaths, Comm. Preamble, 1385
Representation of the People, Comm. 1274

Ewart, Mr. W., *Dumfries, &c.*
Hume, Mr., Bust of the late, 816

Ewing, Mr. H. E. Crum.- *Paisley*
Scotland—Management of Scotch Business in Parliament, 400

Exchequer, Chancellor of the, *see* Chancellor of the Exchequer

Factory Acts Extension Bill
(*Mr. Secretary Walpole, Lord John Manners, Sir John Pakington*)
c. Read 2°, after debate *Mar* 22, 450 [Bill 62]
Question, Mr. Powell; Answer, The Chancellor of the Exchequer; Question, Mr. Bright *April* 29, 1710; Question, Mr. Bright; Answer, Mr. Walpole *April* 30, 1787
Bill, together with *Hours of Labour Regulation Bill*, committed to a Select Committee *May* 2; and, on *May* 10, Select Committee nominated; List of the Committee, 1927

Factory Acts, Glass Manufactures
Question, Mr. Hartley; Answer, Mr. Walpole *April* 2, 982
Printworks, Juvenile Labour in, Question, Mr. Wilbraham Egerton; Answer, Mr. Walpole *April* 11, 1478
(See *Agriculture*)

Fane, Lieut.-Col. H. H., *Hampshire, S.*
New Forest—Licences to Shoot, 1335

Fawcett, Mr. H., *Brighton*
Agricultural Women and Children, Res. 1011
Education, Compulsory, 818
Factory Acts Extension, 2R. 451, 452
Financial Statement, 1148
Tests Abolition (Oxford), Comm. Instruction, 1431, 1443; *cl.* 1, 1447

Fergusson, Sir J. (Under Secretary of State for India), *Ayrshire*
India—Famine in Orissa, 1582

Fildes, Mr. J., *Great Grimsby*
Sale and Purchase of Shares, Comm. *cl.* 1, 267; Amendt. 1063

Fire Insurance
Moved, "That, in this opinion of this House, a further reduction of the duty on Fire Insurances would have a tendency to bring within the protection of Insurance a large amount of the present uninsured property of the Country, and that a further reduction of the Duty should therefore be made at the earliest opportunity" (*Mr. Henry B. Sheridan*) *Mar* 19, 128; after debate, previous Question put (*Mr. Hunt*); A. 156, N. 215; M. 59

Fire Protection—Select Committees, Expense of
Order for nominating Select Committee on Protection from Fire, read; after Observations (*Mr. Hunt*), Select Committee nominated *Mar* 27, 703
See also *Witnesses* (*House of Commons*)

Foley, Mr. H. J. W., *Staffordshire, S.*
Representation of the People—Hundreds of Offlow, 1482

Fordyce, Mr. W. D., *Aberdeenshire*
Cattle Plague—Compensation for Slaughtered Cattle, 1228; Res. 2013, 2016, 2017
Public Health (Scotland), 2R. 1927

Forster, Mr. W. E., *Bradford*
Agricultural Women and Children, Res. 1021
International Currency Conference, 1478
Ireland—Fenian Prisoners, 733
Licensing System, 1874
Mutiny, Comm. *cl.* 22, 925
Public Houses, &c. Leave, 165; 2R. 1851
Representation of the People, Comm. *cl.* 3, 1608, 1629, 1898
Representation of the People—The Compound Householder, 1875, 1876, 1939, 1942, 1945
Volunteers—Employment of, in Civil Disturbances, 727, 728
West Indies—Grants for Religious purposes, 393

Fortescue, Right Hon. Chichester S., *Louth Co.*
British Columbia, &c.—Church in the Colonies, 290
Ecclesiastical Titles Act Repeal, Leave, 368
Ireland—Inspectors of Weights and Measures, Motion for a Committee, 415;—Disturbances in, Rewards to Constabulary, 417;—Administration of Justice, Motion for Papers, 879
Representation of the People (Ireland), 289
Sea Coast Fisheries (Ireland), 2R. 1100
Supply—Rewards to Irish Constabulary, 894
Tenants Improvements (Ireland), 1586, 1778, 1783, 1784

Fortifications (Provision for Expenses) Bill (*Sir John Pakington, Mr. Hunt*)
c. Ordered; read 1°* *April* 2 [Bill 104]
Moved, "That the Bill be now read 2°" (*Sir John Pakington*) *April* 5, 1258
Moved, "That the Debate be now adjourned" (*Sir Morton Peto*); after short debate, Debate adjourned
Adjourned debate *April* 8, 1265; read 2°, after short debate
Committee; Report *April* 9, 1416
Read 3°* *April* 11
l. Read 1ª* (*The Earl of Longford*) *May* 2 (No. 84)

French, Rt. Hon. Colonel F., *Roscommon Co.*
Army—Supply of Barrack Stores, 1598
Court of Chancery (Ireland), Comm. *cl.* 41, 1165
Ireland—Militia, 727;—Limerick Harbour, Comm. 1318
Lancaster Borough, Res. 995
London University, 982
Promissory Notes (Ireland), 2R. Amendt. 1858
Public Works Commissioners, 1784
Representation of the People, 1105
Representation of the People (Ireland), Leave, 1349
Sea Coast Fisheries (Ireland), 2R. 1099
Tenants Improvements (Ireland), 2R. 1162, 1715
Turnpike Trusts, 2R. 1844
Writs for re-election, 1201

Freshfield, Mr. C. K., *Dover*
Churchward, Mr., Case of, Motion for an Address, 200
London, Chatham, and Dover Railway Company, Motion for a Committee, 1346

Game Laws (Scotland) Bill
(*Lord Elcho, Mr. Henry Baillie, Sir Robert Anstruther*)
c. Ordered; read 1°* *April* 9 [Bill 116]

Gaselee, Mr. Serjeant S., *Portsmouth*
Canada Railway Loan, 2R. 973
Church Rates Commutation, 2R. Amendt. 264
Churchward, Mr., Case of, 5, 280, 471, 1477, 1478
Joint Stock Companies (Voting Papers), Comm. Preamble, 1064; *cl.* 1, 1065, 1068
London, Chatham, and Dover Railway Company, Motion for a Committee, 1349
Metropolis Gas, 2R. 1924
Navy Estimates—Victuals and Clothing, 971, 972
Navy—Promotion in the, Res. 311

Gibson, Rt. Hon. T. M., *Ashton-under-Lyne*
Metropolis Gas, 2R. 1917

Gilpin, Mr. C., *Northampton*
Kingston Assizes, 903, 1201, 1202
Representation of the People, Comm. *cl.* 3, 1632

Gladstone, Mr., and the Reform League
Question, Colonel Stuart Knox; Answer Mr. Gladstone *April* 1, 911

Gladstone, Right Hon. W. E., *Lancashire, S.*
Canada Railway Loan, Comm. 749
Church Rates Abolition, 2R. 245
Churchward, Mr., Case of, Motion for an Address, 181, 183, 184, 206
Easter Holydays, Adjournment for the, 1597
Ecclesiastical Titles Act Repeal, Leave, 365
Election Petitions Committees, 1336
Financial Statement, 1116, 1130
Fire Insurance, Res. 134
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Hyde Park—Reform Meeting, 1972, 1975, 1976
London, Chatham, and Dover Railway Company, Motion for a Committee, 1343
Navy—Promotion in the, Res. 310
Offices and Oaths, Comm. 210; *cl.* 1, 1405
Railway Companies Debenture Debt, Res. 1056
Representation of the People, Leave, 17, 19, 26, 36, 47, 52, 63, 124, 125; 2R. 472, 479, 480, 483, 484, 486, 491, 508, 510, 660, 661, 664, 819, 907; Comm. 1274, 1338, 1416, 1490; *cl.* 3, 1509, 1521, 1576, 1641, 1688, 1912
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Tests Abolition (Oxford), Comm. 1437

Goldney, Mr. G., *Chippenham*
Turnpike Trusts, 2R. 1840

Goldsmid, Mr. J., *Honiton*
Metropolis—The Canning Statue, 1874
Metropolis Gas, 2R. 1914, 1920, 1924
National Gallery, The New, Motion for Papers, 819, 834
Wellington, Duke of, Monument to the, 1267

Goldsmid, Sir F. H., *Reading*
Joint Stock Companies (Voting Papers), Comm. *cl.* 1, 1065, 1067; *cl.* 2, 1068
Representation of the People, 2R. 524
Servia—Jews in, Motion for Papers, 838
Toomer, John, Case of, Motion for Papers, 1216, 1222

Gore, Mr. W. R. Ormsby, *Leitrim Co.*
Ireland—River Shannon, 1581, 1704

Gorst, Mr. J. E., *Cambridge Bo.*
Church Rates Abolition, 2R. 225
Representation of the People, Comm. Motion for Adjournment, 1290

Goschen, Right Hon. G. J., *London*
Bankruptcy, 1110
Church Rates Abolition, 2R. 241
Offices and Oaths, Comm. *cl.* 1, 1399
Promissory Notes (Ireland), 2R. 1858, 1859
Representation of the People, Comm. 1317

Graham, Mr. W., *Glasgow*
Public Health (Scotland), 2R. 1927

Grant, Mr. A., *Kidderminster*
Sale and Purchase of Shares, Comm. *cl.* 1, 101

Granville, Earl
Burlington House—London University, 1323
Ecclesiastical Titles Act, Address for a Return, 716
Trades Unions, Comm. *cl.* 2, 270
Traffic Regulation (Metropolis), Report, 111

Graves, Mr. S. R., *Liverpool*
Artizans' and Labourers' Dwellings, 2R. 689
Navy Estimates—Men and Boys, 946
Public Houses, &c. Leave, 160, 165; 2R. Amendt. 1849
Tenants Improvements (Ireland), 2R. Motion for Adjournment, 1778, 1779, 1781

Gray, Sir J., *Kilkenny Bo.*
Ecclesiastical Titles Act Repeal, Leave, 366
Ireland—Tyrone Magistrates, 392, 393;—Administration of Justice, Motion for Papers, 846, 858, 860, 864, 867, 871, 887;—Fenian Prisoners, 1951
Promissory Notes (Ireland), 2R. 1860
Transubstantiation, &c. Declaration Abolition, Comm. 1414

Greene, Mr. E., *Bury St. Edmunds*
Agricultural Women and Children, Res. 1022
Artizans' and Labourers' Dwellings, 2R. 678
Financial Statement, 1151
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Gregory, Mr. W. H., *Galway Co.*
"Cyclone," Owners of the, 731
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Landlord and Tenant (Ireland), 1338
National Gallery, The New, Motion for Papers, 823, 826
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Servia—Jews in, Motion for Papers, 843
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Grenfell, Mr. H. R., *Stoke-upon-Trent*
Sale and Purchase of Shares, Comm. Amendt. 96

Greville-Nugent, Colonel F. S., *Longford Co.*
Ecclesiastical Titles Act Repeal, Leave, 367, 370
Ireland—Constabulary Superannuation, 887

Greville-Nugent, Mr. A. W. F., *Westmeath Co.*
Army—Purchase of Commissions, Res. 1810

Grey, Earl
Army—Industrial Employment of Soldiers, 901
Ecclesiastical Titles Act, Address for a Return, 712, 717
Railway Traffic Protection, Comm. 120
Trades Unions, Comm. *cl.* 4, Amendt. 272

GREY, Right Hon. Sir G., *Morpeth*
Business, Public, 1320
Church Rates Abolition, 2R. 226, 232
Corrupt Practices at Elections, 1485; 2R. 1912
Easter Holydays, Adjournment for the, 1594
Hyde Park—Reform Meeting, 1979
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Mines and Miners, 404
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GRIDLEY, Captain H. G., *Weymouth*
National Gallery, The New, Motion for Papers, 836

GRIFFITH, Mr. C. Darby, *Devizes*
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HARDCASTLE, Mr. J. A., *Bury St. Edmunds*
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HARVEY, Mr. R. J. H., *Thetford*
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Headlam, Right Hon. T. E. (Judge Advocate General) *Newcastle-upon-Tyne*
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Heathcote, Sir W., *Oxford University*
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Henderson, Mr. J., *Durham City*
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Herbert, Right Hon. Colonel Percy E. (Treasurer of the Household) *Shropshire, S.*
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Hope, Mr. A. J. Beresford, *Stoke-on-Trent*
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Hours of Labour Regulation Bill
(*Mr. Secretary Walpole, Lord John Manners, Sir John Pakington*)
c. Read 2°, after debate *Mar* 22, 452 [Bill 63]
Committed to same Select Committee with *Factory Acts Extension Bill May* 2; List of the Committee, 1927

Houses of Parliament Bill
(*Lord John Manners, Mr. Hunt*)
c. Ordered, after short debate; read 1° *Mar* 19, 166 [Bill 81]
Read 2° *, and referred to a Select Committee *April* 2

Howes, Mr. E., *Norfolk, E.*
Ecclesiastical Commissioners—Whitby Rectory, 565
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Hubbard, Mr. J. G., *Buckingham*
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Hughes, Mr. T., *Lambeth*
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Hunt, Mr. G. W., (Secretary to the Treasury) *Northamptonshire, N.*
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Hutt, Right Hon. Sir W., *Gateshead*
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Hypothec Amendment (Scotland) Bill [H.L.]
(*The Lord Chancellor*)
l. Report from Select Committee *Mar* 18, 1
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Committee * *Mar* 21
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Read 3ª * *Mar* 25
c. Read 1° * *Mar* 29 [Bill 100]

Inclosure Bill
(*Mr. Secretary Walpole, Mr. Hunt*)
c. Read 2° * *Mar* 18 [Bill 72]
Committee *; Report *Mar* 22
Read 3° * *Mar* 25
l. Read 1ª * (*The Earl of Belmore*) *Mar* 26 (No. 65)

Increase of Episcopate Bill [H.L.]
(*The Lord Lyttelton*)
l. Presented; read 1ª * *Mar* 19 (No. 51)

India
Banda and Kirwee Booty, Question, Mr. Denman; Answer, Sir Stafford Northcote *May* 2, 1871
Banks of Bombay and Bengal, Question, Mr. J. Peel; Answer, Sir Stafford Northcote *Mar* 19, 121
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India—cont.
Ceylon—Barracks at Point de Galle, Question, Mr. Oliphant; Answer, Sir John Pakington *Mar* 28, 729
Claims on Oude, Question, Mr. Blake; Answer, Sir Stafford Northcote *April* 5, 1172
Famine in Orissa, Question, Mr. Smollett; Answer, Sir James Fergusson *April* 12, 1582
Officers of the late Indian Army, Question, Major Jervis; Answer, Sir Stafford Northcote *May* 3, 1938

Industrial Schools (Ireland) Bill
(*The O'Conor Don, Mr. Monsell, Mr. Leatham*)
c. Resolution in Committee *Mar* 25, 558 [Bill 17]
Committee * Report *April* 2 [Bill 102]

Infectious Diseases
Amendt. on Committee of Supply *May* 3, To leave out from "That," and add "an humble Address be presented to Her Majesty praying that Her Majesty will be graciously pleased to cause such inquiry to be instituted as may lead to the better distinction between Contagious Diseases and such as are termed Infectious, so as to obviate, as far as possible, the loss, alarm, and injustice consequent on the theory of the infectious nature of certain Diseases when unsupported by demonstration" (*Sir J. Clarke Jervoise*), 1991; Question, "That the words, &c;" after short debate, Amendt. withdrawn

International Currency Conference
Question, Mr. W. E. Forster; Answer, Lord Stanley *April* 11, 1478

Ionian Islands, State of the
Question, Mr. Layard; Answer, Lord Stanley *Mar* 29, 816

Ireland
Administration of Justice, Amendt. on Committee of Supply *Mar* 29, To leave out from "That," and add "there be laid before this House, Copies of any Correspondence that has taken place with reference to cases referred to in Mr. Justice Keogh's statement at the Assize Court of the county of Tyrone, and of the Letter of Lord Chancellor Brady to the Lord Lieutenant of the county of Down, on the impropriety of conferring the commission of the peace on Members of the Orange Association; and of any Correspondence that arose thereupon" (*Sir John Gray*), 867; after long debate, Question, "That the words, &c;" agreed to
Constabulary, Rewards to the, Question, Mr. Monsell; Answer, Lord Naas; discussion thereon *Mar* 22, 415; £2,000, Special Rewards to certain members of the Irish Constabulary Force *Mar* 29, 894; after short debate, Vote agreed to
Moved, that there be laid before this House, Return of the Names of the Police Stations in Ireland attacked during the late attempt at Insurrection, and successfully defended; the Numbers of Police Constables engaged
[*cont.*

Ireland—cont:
in each such defence, and supposed Number of Insurgents; and other particulars (*The Viscount Lifford*) *Mar* 25, 458; after debate, Motion agreed to
Constabulary Superannuations, Observations, Colonel Greville-Nugent; Reply, Lord Naas *Mar* 29, 887; debate thereon
Court of Exchequer, Question, Mr. Lawson, Answer, Lord Naas *April* 5, 1174; Question, Lord Dunkellin; Answer, The Attorney General for Ireland *April* 30, 1786
Duggan, Constable, Case of, Question, Mr. Whalley; Answer, Lord Naas *Mar* 25, 471
Fenian Prisoners, Trial of, Question, Mr. W. E. Forster; Answer, Lord Naas *Mar* 28, 733; Question, Mr. Maguire; Answer, Lord Naas *May* 3, 1945; Question, Mr. Maguire; Answer, Mr. Walpole, 1987
Fishermen on the Lower Shannon, Question, Mr. Blake; Answer, The Solicitor General for Ireland *Mar* 22, 425
Galway, Anticipated Distress in, Question, Mr. Gregory; Answer, Lord Naas *April* 30, 1786
Inspectors of County and Convict Prisons, Question, Mr. Blake; Answer, Lord Naas *April* 4, 1106
Inspectors of Weights and Measures, Amendt. on Committee of Supply *Mar* 22, To leave out from "That," and add "a Select Committee be appointed to inquire into the justice of a claim for compensation to the late Inspectors of Weights and Measures in Ireland for the loss of their offices" (*Mr. Bruen*), 413; after short debate, Question, "That the words, &c.;" A. 134, N. 41; M. 93
Kirwan, Escape of, Question, Mr. Peel Dawson; Answer, Lord Naas *April* 12, 1583
Maginn, Rev. Mr., Question, Mr. Whalley; Answer, Lord Naas *Mar* 22, 395; Question, Mr. Whalley; Answer, Lord Naas *April* 11, 1484
Management of City Prisons, Question, Mr. Verner; Answer, Lord Naas *April* 4, 1103
Militia, Question, Colonel French; Answer, Sir John Pakington *Mar* 28, 797
Mountjoy Convict Prison, Question, Mr. Blake; Answer, Lord Naas *May* 3, 1933
National Education, Question, Mr. Cogan; Answer, Lord Naas *April* 29, 1704
Petition of E. Truelove and others, Moved, "That the Petition do lie upon the table" (*Mr. Bright*) *May* 3, 1929; after short debate, Motion agreed to; Petition to lie upon the table
Railways, Question, Sir Frederick Heygate; Answer, Lord Naas *May* 2, 1873
Representation of the People, Question, Mr. Esmonde; Answer, The Chancellor of the Exchequer *Mar* 29, 818
River Shannon, Question, Mr. W. Ormsby Gore; Answer, Mr. Hunt *April* 12, 1581; Question, Mr. W. Ormsby Gore; Answer, Mr. Hunt *April* 29, 1704
Scotch and Irish Reform Bills, Question, Mr. Stacpoole; Answer, The Chancellor of the Exchequer *April* 30, 1785
Tyrone Magistrates, Postponement of Motion (*Sir John Gray*) *Mar* 22, 392; Question, Captain Archdall; Answer, Lord Naas *April* 1, 911; Question, Colonel Stuart Knox; Answer, Lord Naas *April* 29, 1709

Italy—The Ministry
Question, Mr. Darby Griffith; Answer, Lord Stanley *April* 5, 1175

JACKSON, Mr. W., *Derbyshire, N.*
Mines, &c. Assessment, 2R. 1427

Jamaica, Alleged Excesses in
Question, Mr. Buxton; Answer, Mr. Adderley *Mar* 21, 275

Japan—European Troops at Yokuhama
Question, Mr. Oliphant; Answer, Lord Stanley *April* 4, 1107

Jersey, Royal Court of
Question, Mr. Locke; Answer, Mr. Walpole *Mar* 26, 562

JERVIS, Major H. J. W., *Harwich*
Army—Flogging in the, 729;—Purchase of Commissions, Res. 1812
Cattle Plague—Importation of Foreign Cattle, 1106
India—Officers of the late Indian Army, 1938
Mutiny, Comm. *cl.* 10, 768; *add. cl.* 787, 915, 929
Representation of the People, Comm. 1278

JERVOISE, Sir J. C., *Hampshire, S.*
Artizans' and Labourers' Dwellings, 2R. 677
Bermuda—Yellow Fever, 561
Cattle Plague, 552, 566
Infectious Diseases, Motion for an Address, 1991
Quarantine at Southampton, 1108
Turkey—Cholera Congress at Constantinople, 283, 732

Joint Stock Companies (Voting Papers Bill (*Mr. Darby Griffith, Mr. R. Torrens, Mr. Vance*)
c. Committee [No Report] *April* 3, 1064 [Bill 3]

Judges' Chambers (Despatch of Business) Bill (*The Lord Chancellor*)
l. Presented; read 1ª, after short debate *Mar* 25, 453 (No. 58)
Read 2ª *April* 2, 974
Committee *; *April* 9
Report * *April* 11
Read 3ª * *April* 12

Judgment Debtors Bill
(*Mr. Attorney General, Mr. Secretary Walpole, Mr. Solicitor General*)
c. Read 2º * *April* 4 [Bill 75]
Committee *; Report *May* 3

KEKEWICH, Mr. S. T., *Devonshire, S.*
Representation of the People—Fees of Returning Officers, 1481

KENDALL, Mr. N., *Cornwall, E.*
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Mines, &c. Assessment, 2R. 1421
Representation of the People, Comm. *cl.* 3, 1539

KENNEDY, Mr. T., *Louth Co.*
Tenants Improvements (Ireland), 2R. 1771

KER, Mr. D. S., *Downpatrick*
Mutiny, Comm. *add. cl.* 795
Offices and Oaths, Comm. *cl.* 1, 1400

KIMBERLEY, Earl of
Agricultural Gangs, 1475
Criminal Lunatics, 2R. 978; Comm. 1101
Dublin University Professorships, 2R. 705
Ecclesiastical Titles Act, Address for a Return, 711
Ireland—Constabulary, Motion for Returns, 463
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KINNAIRD, Hon. A. F., *Perth*
Artizans' and Labourers' Dwellings, 2R. 698
Hyde Park—Reform Meeting, 1983
Metropolis Gas, 2R. 1921
Mines and Miners, 401, 404, 411
Navy Estimates—Men and Boys, 971
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KNATCHBULL-HUGESSEN, Mr. E. H., *Sandwich*
Ireland—Constabulary Superannuation, 893
Sale of Land by Auction, 2R. 568
Toomer, John, Case of, Motion for Papers, 1228
Turnpike Trusts, Leave, 139, 158; 2R. 1845

KNIGHT, Mr. F. W., *Worcestershire, W.*
Turnpike Trusts, 2R. 1837

KNIGHTLEY, Sir R., *Northamptonshire, S.*
Corrupt Practices at Elections, 123, 124
Representation of the People, Comm. 1271; Instruction, 1272, 1277, 1500
Tenants Improvements (Ireland), 2R. 1780

KNOX, Hon. Colonel W. Stuart, *Dungannon*
Gladstone, Mr., and the Reform League, 911
Hyde Park—Reform Meeting, 1938
Ireland—Administration of Justice, Motion for Papers, 859, 863, 867, 875;—Case of Rev. Mr. Maginn, 1485;—Tyrone Magistracy, 1709;—Fenianism, 1931, 1933
Representation of the People, Comm. *cl.* 3, 1698

KNOX, Colonel B. W., *Marlow*
Ireland—Tyrone Magistrates, 393

Labouring Classes Dwellings Acts (1866) Amendment Bill
(*Mr. Hunt, Mr. Secretary Walpole*)
c. Ordered; read 1° * *April* 9 [Bill 118]

LAING, Mr. S., *Wick, &c.*
Financial Statement, 1124
Railway Companies Debenture Debt, Res. 1051
Representation of the People, 2R. 617; Comm. 1284

LAIRD, Mr. J., *Birkenhead*
Navy Estimates—Men and Boys, 448

Lancaster Borough
Moved, "That the Mayor and Corporation of the Borough of Lancaster be heard, by Counsel, at the Bar of this House, in Committee on the Representation of the People Bill, upon their Petition, presented on the 14th March, against Clause 8 of the said Bill, which provides for the disfranchisement of that Borough" (*Colonel Wilson Patten*) *April* 2, 982; after debate, Motion withdrawn

Land Drainage Supplemental Bill
(*Mr. Secretary Walpole, Mr. Sclater-Booth*)
c. Ordered; read 1° * *April* 12 [Bill 123]
Read 2° * *April* 29
Committee *; Report *May* 3

Land Improvement Contracts (Ireland) Bill (*Mr. Agar-Ellis, Colonel French*)
c. Committee * *Mar* 27

Landlord and Tenant (Ireland) Bill
Question, Mr. Gregory; Answer, The Chancellor of the Exchequer *April* 9, 1383

LANYON, Mr. C., *Belfast*
Ireland—Administration of Justice, Motion for Papers, 878
Law Courts, The New, 728; Res. 2018, 2020
Thames Embankment (Sheilds' Petition), Motion for a Committee, 801

Law Courts, New
Question, Mr. Lanyon; Answer, Mr. Hunt *Mar* 28, 728

LAWRENCE, Mr. Alderman W., *London*
Metropolitan Improvements, 563
Metropolitan Poor Law Rating, 726, 727
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LAWSON, Right Hon. J. A., *Portarlington*
Bridges (Ireland), 2R. 797
Court of Chancery (Ireland), Comm. 448; *cl.* 5, 449; *cl.* 40, 1164
Ireland—Court of Exchequer, 1174
Joint Stock Companies (Voting Papers), Comm. *cl.* 1, 1066, 1068
Petit Juries (Ireland), 2R. 95

LAYARD, Mr. A. H., *Southwark*
Burlington House Site, 1232, 1239
Ionian Islands—State of the, 816
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Russian America—Cession of, to the United States, 911
Servia—Jews in, Motion for Papers, 845

Leatham, Mr. W. H., *Wakefield*
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Leatham, Mr. W. H.
Personal Explanation, Mr. Leatham *Mar* 20, 212
(See *Corrupt Practices at Elections*)

Lechmere, Sir E. A. H., *Tewkesbury*
Church Rates Abolition, 2R. 237
Mutiny, Comm. *add. cl.* 932

Leeman, Mr. G., *York City*
Joint Stock Companies (Voting Papers), Comm. *cl.* 1, 1068
Sale and Purchase of Shares, Comm. 98 ; *cl.* 1, Amendt. 100, 101, 102, 267, 1063

Lefevre, Mr. G. J. Shaw, *Reading*
Navy Estimates—Men and Boys, 357, 963
Navy — Paddle-wheel Steamers, Motion for Papers, 207, 210 ;—Promotion in the, Res. 304, 309
Sea Coast Fisheries (Ireland), 2R. 1098
United States—The "Alabama" Claims, 471

Lennox, Lord H. G. C. G. (Secretary to the Admiralty) *Chichester*
Navy Estimates—Men and Boys, 936, 938 ;—Wages, 971 ;—Victuals and Clothing, 972
Navy—Staff Commanders and Masters, 5 ;—Paddle-wheel Steamers, Motion for Papers, 209 ;—Naval Engineers, 313 ;—Roman Catholics, 316, 317

Leslie, Colonel C. P., *Monaghan Co.*
Cattle Plague, 1479

Lewis, Mr. Harvey, *Marylebone*
Artizans' and Labourers' Dwellings, 2R. 627
Civil Service Examination, 1265
Metropolis Gas, 1107
Mexican Bondholders, 279
Pollution of Rivers, 280
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Licensing System
Question, Mr. W. E. Forster ; Answer, Mr. Walpole *May* 2, 1874

Liddell, Hon. H. G., *Northumberland, S.*
Factory Acts Extension, 2R. 451
Metropolis Gas, 1878
Mines and Miners, 411
Mines, &c. Assessment, 2R. 1430
Navy—Greenwich Hospital, 1584
Representation of the People, 2R. 609 ; Comm. *cl.* 3, 1629

Lifford, Viscount
Ireland—Constabulary, Motion for Returns, 458

Limerick Harbour Bill
(*Mr. Dodson, Lord Naas, Mr. Hunt*)
c. Resolution in Committee *April* 8, 1318
Ordered ; read 1° * *April* 9 [Bill 117]

Lloyd, Sir T. D., *Cardiganshire*
Railway Debentures, 816

Local Government Supplemental Bill
(*Mr. Secretary Walpole, Mr. Hunt*)
c. Ordered ; read 1° * *April* 11 [Bill 121]
Read 2° * *April* 29
Committee * Report *May* 2
Read 3° * *May* 3

Locke, Mr. J., *Southwark*
Artizans' and Labourers' Dwellings, 2R. 687
Jersey—Royal Court of, 562
Mutiny, Comm. *add. cl.* 795, 796, 912, 915
Representation of the People, Comm. 1268, 1269, 1271 ; *cl.* 3, 1625, 1629

London, Chatham, and Dover Railway (No. 3) Bill
Moved, "That the Standing Orders of this House, Nos. 18, 38, and 40, be suspended in the case of the Petition for the London, Chatham, and Dover Railway (No. 3) Bill," (*Mr. Thomas Hughes*) *April* 5, 1169 ; after short debate, agreed to
Moved, "That a Select Committee be appointed to inquire into the means adopted by the London, Chatham, and Dover Railway Company for raising the share capital and exercising their borrowing powers under the various Acts of Parliament authorizing the construction of the main line and its extensions and branches" (*Sir Morton Peto*) *April* 9, 1339 ; after short debate, Motion withdrawn

Longford, Earl of (Under Secretary of State for War)
Army—Industrial Employment of Soldiers, 897
Militia—Address for a Return, 805, 810, 813
Mutiny, 2R. 1167
Volunteers—Employment of, in Civil Disturbances, 457, 458

Lowe, Right Hon. R., *Calne*
Canada Railway Loan, Comm. 757
Educational Grants, Res. 1176, 1186, 1193
Hyde Park—Reform Meeting, 1985
Representation of the People, Leave, 52 ; Comm. 1310 ; *cl.* 3, 1603, 1678
Thames Embankment—Sheilds' Petition, Motion for a Committee, 370, 798, 803

Lowther, Mr. J., *York City*
Representation of the People, 2R. 544
Representation of the People—Working Classes—Borough Register, 470
Toomer, John, Case of, Motion for Papers, 1227, 1228

Lusk, Mr. Alderman A., *Finsbury*
Clerks of Convict Prisons, 391
Metropolis Gas, 2R. 1918, 1924
Promissory Notes (Ireland), 2R. 1867
Sale and Purchase of Shares, Comm. *cl.* 1, Amendt. 100, 101

Luxemburg
Question, Mr. Sandford; Answer, Lord Stanley *April* 1, 909; Question, Sir Robert Peel; Answer, Mr. Walpole *April* 2, 981; Question, Sir Robert Peel; Answer, Lord Stanley *April* 5, 1248; Question, Mr. Horsman; Answer, Lord Stanley *April* 29, 1705; Question, Mr. Darby Griffith; Answer, Lord Stanley *April* 30, 1785; Question, Earl Russell; Answer, The Earl of Derby *May* 2, 1868

Lyon King of Arms (Scotland) Bill
(*Sir Graham Montgomery, Mr. Secretary Walpole, Mr. Hunt*)
c. Committee*; Report *Mar* 21 [Bill 44]
Considered as amended* *Mar* 27
Read 3°* *Mar* 28
l. Read 1ª* (*The Earl of Belmore*) *Mar* 29
Read 2ª* *April* 4 (No. 54)
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Read 3ª* *April* 9
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MAGUIRE, Mr. J. F., *Cork City*
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MALMESBURY, Earl of (Lord Privy Seal)
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MANNERS, Right Hon. Lord J. J. R. (Chief Commissioner of Works, &c.), *Leicestershire, N.*
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Hume, Mr., Bust of the late, 816
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(*Mr. Dodson, Mr. Corry, Lord Henry Lennox*)
c. Ordered; read 1°* *April* 2
Question, Mr. Otway; Answer, Sir John Pakington *April* 5, 1174
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l. Read 1ª* (*The Duke of Richmond*) *April* 9,
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Read 3ª* *April* 11 (No. 76)
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MARLBOROUGH, Duke of (Lord President of the Council)
Established Church — Ritualistic Practices, 1329; Explanation, 1453

Marriages (Odessa) Bill
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MARSH, Mr. M. H., *Salisbury*
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MARTIN, Mr. P. Wykeham, *Rochester*
Sale and Purchase of Shares, Comm. *cl.* 1, 267

Master and Servant Bill (*Lord Elcho, Mr. George Clive, Mr. Algernon Egerton*)
c. Ordered; read 1° *April* 2, 1059 [Bill 105]

Meetings in Royal Parks Bill
(*Mr. Secretary Walpole, Lord John Manners, Mr. Attorney General*)
c. Ordered, after short debate; read 1° *May* 3, 2024 [Bill 134]

Metropolis
Buckingham Palace Gardens, Question, Mr. Owen Stanley; Answer, Lord John Manners *April* 11, 1482
Burlington House Site, Observations, Mr. Layard; Reply, Lord John Manners; short debate thereon *April* 5, 1232
Canning Statue, The, Question, Mr. Goldsmid; Answer, Lord John Manners *May* 2, 1874
London University—Burlington House, Question, Mr. Layard; Answer, Lord John Manners *April* 2, 981; Observations, Earl Granville; Reply, The Duke of Buckingham *April* 9, 1323

Metropolis Gas Bill (*Sir Stafford Northcote, Mr. Secretary Walpole, Lord John Manners*)
c. Question, Mr. Harvey Lewis; Answer, Sir Stafford Northcote *April* 4, 1107
Moved, "That the Bill be read 2° upon Monday 29th April" (*Sir Stafford Northcote*) *April* 11, 1576
After short debate, Amendt. to leave out "Monday 29th April," and add "this day six months" (*Mr. Edward Craufurd*); Question, "That the words, &c.;" after further short debate, Moved, "That the debate be now adjourned" (*Mr. Ayrton*); A. 85, N. 48; M. 37; debate adjourned
Question, Mr. Liddell; Answer, Sir Stafford Northcote *May* 2, 1878
Debate resumed *May* 2, 1913
Moved, "That the Debate be now adjourned" (*Mr. Ayrton*); Motion withdrawn; Amendt. and original Motion negatived; Motion agreed to; Bill read 2° [Bill 45]
Moved, "That the Bill be committed to a Select Committee" (*Sir Stafford Northcote*), 1924; Motion withdrawn
Committee*; Report *May* 2 [Bill 129]

Metropolitan Board of Works
Question, Mr. Treeby; Answer, Mr. Hunt *April* 9, 1336

Metropolitan Improvements Bill
Question, Mr. Alderman Lawrence; Answer, Lord John Manners *Mar* 26, 563

Metropolitan Poor Bill
(*The Earl of Devon*)
l. Read 2ª, after short debate *Mar* 19, 102
Committee; Report *Mar* 22, 388 (No. 45)
Read 3ª, after short debate, and passed *Mar* 25, 465
Royal Assent *Mar* 29 [30 *Vict.* c. 6]

Metropolitan Poor Law Rating
Question, Mr. Alderman Lawrence; Answer, Mr. Gathorne Hardy *Mar* 28, 726

Metropolitan Water Supply Bill
(*Mr. Whalley, Mr. Lusk*)
c. Ordered; read 1°* *Mar* 22 [Bill 88]

Mexican Bondholders
Question, Mr. Harvey Lewis; Answer, Lord Stanley *Mar* 21, 279

Middlesex Registration
Question, Mr. Childers; Answer, The Attorney General *May* 2, 1872

Militia
Address for a Return of all Regiments of Militia in the United Kingdom; and other particulars (*The Marquess of Salisbury*) *Mar* 29, 804; after debate, Motion agreed to

Militia Pay Bill
(*Mr. Dodson, Sir John Pakington, Mr. Hunt*)
c. Ordered* *Mar* 18

Mill, Mr. J. Stuart, *Westminster*
Associations of Workmen, 2R. 1452
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Ecclesiastical Establishments in the West Indies, 887
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Mines and Miners—Report of the Commission
Observations, Mr. G. Clive, 400; Reply, Mr. Walpole *Mar* 22, 408; discussion thereon

Mines, &c. Assessment Bill
(*Mr. Percy Wyndham, Mr. Cavendish Bentinck, Mr. Henderson*)
c. Read 2°, after long debate, and committed to a Select Committee; List of the Committee *April* 10, 1431 [Bill 33]

Mixed Marriages (Ireland) Bill
(*Mr. Serjeant Armstrong, Mr. Cogan*)
c. Ordered; read 1° *April* 9, 1374 [Bill 120]

Moffatt, Mr. G., *Southampton*
Sale and Purchase of Shares, Comm. *cl.* 1, 102

Monck, Lord
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Moncreiff, Right Hon. J., *Edinburgh*
Scotland—Representation of the People, 2020

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Montagu, Right Hon. Lord R. (Vice President of the Committee of Council on Education), *Huntingdonshire*
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Montgomery, Sir G. G. (Lord of the Treasury), *Peeblesshire*
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Mowbray, Right Hon. J. R. (Judge Advocate General), *Durham City*
Bunhill Fields Burial Ground, Leave, 997
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Mutiny, Comm. *cl.* 10, 767; *add. cl.* 789, 916

Murphy, Mr. N. D., *Cork City*
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Muscat, Imaum of
Question, Sir T. F. Buxton; Answer, Lord Stanley *April* 11, 1478

Mutiny Bill
(*Sir J. Pakington, Judge Advocate General*)
c. Read 2° * *Mar* 18
Committee—R.P. *Mar* 28, 764
Committee; Report *April* 1, 912
Considered as amended * *April* 2
Read 3° * *April* 3
l. Read 1ª * (*The Earl of Longford*) *April* 4
Read 2ª *April* 5, 1167
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Naas, Right Hon. Lord (Chief Secretary for Ireland), *Cockermouth*
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&c. Prisons, 1106;—Court of Exchequer, 1174;—Escape of John Kirwan, 1583;—National Education, 1704;—Distress in Galway, 1786;—Railways, 1874;—Mountjoy Convict Prison, 1933
Representation of the People (Ireland), Leave, 1353
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Supply—Rewards to Irish Constabulary, 894, 896
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Nantlle Railway Company
Question, Mr. Samuelson; Answer, Mr. Stephen Cave *Mar* 26, 562

National Debt Acts Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Hunt*)
c. Considered in Committee; Resolution agreed to *April* 5
Resolution reported; Bill ordered; read 1° * *April* 8 [Bill 114]
Question, Mr. H. B. Sheridan; Answer, The Chancellor of the Exchequer *April* 30, 1787

National Education—The Revised Code
Question, Mr. Hubbard, 1995; Answer, Lord Robert Montagu *May* 3, 2000; long discussion thereon

National Gallery Enlargement Bill
(*Lord John Manners, Mr. Hunt*)
c. Ordered; read 1° *Mar* 19, 159 [Bill 82]
Read 2°, * and referred to a Select Committee *April* 2
Committee nominated *May* 14

National Gallery, New
Amendt. on Committee of Supply *Mar* 29, To leave out from "That," and add "there be laid before this House, a Copy of any further Correspondence between the Architects and the First Commissioner of Works relative to the competition for the New National Gallery" (*Mr. Goldsmid*), 819; Question, "That the words, &c.;" after long debate, Amendt. withdrawn

Navy
Motion for Return of the Number of Lieutenants on the Active List of the Navy in each Year from 1856 to 1867: And also, Return showing the Number of Lieutenants employed in each Year from 1856 to 1867 (*The Duke of Somerset*) *Mar* 29, 813; after short debate, agreed to
Clare, Claims of Mr., Question, Mr. Bazley; Answer, Mr. Corry *Mar* 26, 563
Greenwich Hospital Accounts, Question, Mr. Seely; Answer, Mr. Corry *Mar* 28, 736—*The Seamen's Hospital*, Question, Mr. Liddell; Answer, Mr. Corry *April* 12, 1584
Naval Engineers, Observations, Sir Edward Dering; Reply, Lord Henry Lennox *Mar* 21, 311

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Paddle-Wheel Steamers, Moved, "That there be laid before this House, a Copy of a Submission of the Comptroller of the Navy to the Board of Admiralty, and a Memorandum thereon by Admiral Sir Frederick Grey, on the building of Paddle-wheel Steamers, dated 1866" (*Mr. Shaw-Lefevre*) *Mar* 19, 207; after short debate, Motion withdrawn
Promotion, Amendt. on Committee of Supply *Mar* 21, To leave out from "That," and add "the promotion by the First Lord of the Admiralty of a junior Lieutenant in the Navy without any special or distinguished service, over the heads of hundreds of meritorious Lieutenants senior to him in the Service, is prejudicial to the public interests" (*Mr. Hanbury-Tracy*), 293; Question, "That the words, &c.;" after long debate, Amendt. withdrawn
Roman Catholics, Observations, Mr. O'Reilly; Reply, Lord Henry Lennox *Mar* 21, 315; discussion thereon
Royal Marine Artillery and Light Infantry, Question, Mr. Stone; Answer, Mr. Corry *April* 4, 1102
Staff Commanders and Masters, Question, Sir Lawrence Palk; Answer, Lord Henry Lennox *Mar* 18, 5
Swan, Claim of Assistant-Commissary-General, Question, Mr. Stacpoole; Answer, Mr. Corry *May* 2, 1873

NEATE, Mr. C., *Oxford City*
Associations of Workmen, 2R. 1448
Church Rates Abolition, 2R. 236
Hyde Park—Reform Meeting, Amendt. 1963, 1987
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Toomer, John, Case of, Motion for Papers, 1216, 1220
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NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Agricultural Women and Children, Res. 1025
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* Church Rates Commutation, 2R. 250
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Tenants Improvements (Ireland), 2R. 1780, 1784
Tests Abolition (Oxford), Comm. 1442
Transubstantiation, &c. Declaration Abolition, Comm. Amendt. 1408, 1414

New Forests, The—Licenses to Shoot
Question, Colonel Hamlyn Fane; Answer, Mr. Hunt *April* 9, 1335

New Members Sworn
Mar 18—Thomas Parry, esq., *Boston*
Mar 19—Right Hon. Sir Stafford Henry Northcote, Bart., *Devon* (*Northern Division*)
Mar 21—Right Hon. Henry Thomas Lowry Corry, *Tyrone*
Mar 25—Right Hon. Lord Robert Montagu *Huntingdon County*
April 1—Right Hon. Hedges Eyre Chatterton, *College of the Holy Trinity, Dublin*
April 8—George Morris, esq., *Galway Town*
April 29—Henry Labouchere, esq., *Middlesex*

New Writs Issued
Mar 25—*For* Galway Town, *v.* Right Hon. Michael Morris, Puisne Judge of the Court of Common Pleas in Ireland
For College of the Holy Trinity, Dublin, *v.* Hedges Eyre Chatterton, esq., Attorney General for Ireland
April 5—*For* Middlesex, *v.* Robert Culling Hanbury, esq., deceased

NORTH, Colonel J. S., *Oxfordshire*
Army—Purchase of Commissions, Res. 1808
Mutiny, Comm. *cl.* 10, 768; *cl.* 22, 775; *add. cl.* 777, 919

NORTHCOTE, Right Hon. Sir S. H. (Secretary of State for India), *Devonshire, N.*
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Railway Companies Debenture Debt, Res. 1055

NORWOOD, Mr. C. M., *Kingston-upon-Hull*
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O'Brien, Sir P., *King's Co.*
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O'Donoghue, The, *Tralee*
Ireland—Fenian Prisoners, 732, 1949
Representation of the People, Comm. *cl.* 3, 1536
Tenants Improvements (Ireland), 2R. 1163, 1750

Offices and Oaths Bill
(*Sir Colman O'Loghlen, Mr. Cogan, Sir J. Gray*)
c. Committee; Moved, "That Mr. Speaker do now leave the Chair" (*Sir Colman O'Loghlen*) *Mar* 19, 210
Moved, "That this House do now adjourn" (*Mr. Newdegate*); after short debate, Motion withdrawn; original Motion withdrawn; Committee deferred
Committee; Report *April* 9, 1383 [Bill 7]
Considered *April* 11, 1580

Oliphant, Mr. L., *Stirling, &c.*
Ceylon—Barracks at Point de Galle, 729
Japan—European Troops at Yokuhama, 1107
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O'Loghlen, Sir C. M., *Clare Co.*
Bridges (Ireland), 2R. Motion for Adjournment, 797
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O'Neill, Mr. E., *Antrim Co.*
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O'Reilly, Mr. M. W., *Longford Co.*
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Toomer, John, Case of, Motion for Papers, 1217

Oyster Fisheries Bill
(*The Duke of Richmond*)
l. Read 1ª* *Mar* 18 (No. 47)
Read 2ª* *Mar* 29
Committee*; Report *April* 8
Read 3ª* *April* 9
Royal Assent *May* 3 [30 *Vict.* c. 18]

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Army—Flogging in the, 2, 3, 290, 291, 292, 293, 394, 466, 729, 903;—Medical Officers, 281;—Sanitary Committee, 282;—Rewards to Military Inventors, 283, 1104;—Household Cavalry, 732;—Artillery—Chilled Shot, 1481;—War Department, 1582;—Reward to Major Palliser, 1583;—Supply of Barrack Stores, 1598;—Purchase of Commissions, Res. 1813
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Private Bills—Reports of Board of Trade on, Question, Lord Taunton; Answer, The Duke of Richmond *Mar* 28, 704
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Easter Holydays—The House adjourned to Thursday 2nd May
On the Motion of *The Chairman of Committees* — Ordered, That no Private Bill brought from the House of Commons shall be read a second time after Tuesday, the 18th Day of June next: and other Orders *May* 3, 1928
COMMONS—
Easter Holydays, Question, Sir C. O'Loghlen; Answer, The Chancellor of the Exchequer *April* 1, 911
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Election Petitions Committees, Question, Captain Archdall; Answer, The Chancellor of the Exchequer *April* 9, 1336
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Patten, Colonel J. W., *Lancashire, N.*
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Paull, Mr. H., *St. Ives*
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Pease, Mr. J. W., *Durham, S.*
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Peel, Right Hon. Sir R., *Tamworth*
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Peel, Right Hon. Lt.-Gen. J., *Huntingdon*
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Peel, Mr. A. W., *Warwick*
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Petit Juries (Ireland) Bill
(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Read 2°, after debate *Mar* 18, 95 [Bill 46]

Peto, Sir S. M., *Bristol*
Fortifications (Provision for Expenses), 2R. Motion for Adjournment, 1259; Comm. *cl.* 1, 1416
London, Chatham, and Dover Railway Company, Motion for a Committee, 1339, 1348
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Petty Sessions (Ireland) Act (1851) Amendment Bill
(*Mr. Solicitor General for Ireland, Lord Naas*)
c. Ordered; read 1° * *Mar* 22 [Bill 87]
Read 2° * *April* 4
Committee *; Report *April* 5
Read 3° * *April* 8
l. Read 1ª * (*The Earl of Belmore*) *April* 9
Read 2ª * *May* 3 (No. 78)

Pier and Harbour Orders Confirmation Bill (*Mr. Dodson, Mr. S. Cave, Mr. Hunt*)
c. Resolution; Bill ordered * *May* 1
Read 1° * *May* 3 [Bill 130]

Pim, Mr. J., *Dublin City*
Ireland—Inspectors of Weights and Measures, Motion for a Committee, 413, 415
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Promissory Notes (Ireland), 2R. 1864
Tenants Improvements (Ireland), 2R. 1753

Plantagenet Statues at Fontevrault
Question, Mr. Owen Stanley; Answer, Lord Stanley *Mar* 29, 817

Policies of Insurance Bill
(*Sir Colman O'Loghlen, Mr. Serjeant Barry, Mr. Vance, Mr. Pim*)
c. Ordered * *Mar* 21
Read 1° * *Mar* 22 [Bill 85]
Read 2° * *April* 2
Committee *; Report *April* 4
Considered as amended * *April* 8
Read 3° * *April* 9
l. Read 1ª * (*The Lord Somerhill*) *April* 11 (No. 82)

Pollard-Urquhart, Mr. W., *Westmeath Co.*
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Thames Embankment (Sheilds' Petition), Motion for a Committee, 802

Pollution of Rivers—Report of the Commissioners
Question, Mr. Harvey Lewis; Answer, Mr. Walpole *Mar* 21, 280

Poor Law
Poplar, Distress in, Question, Viscount Enfield; Answer, Mr. Gathorne Hardy *April* 8, 1266
Public Health Act, Question, Sir Michael Hicks-Beach; Answer, Mr. Walpole *Mar* 26, 565

Portugal, Commercial Treaty with
Question, Mr. Akroyd; Answer, Lord Stanley *Mar* 26, 564

Potter, Mr. E., *Carlisle*
Artizans' and Labourers' Dwellings, 2R. 680

Powell, Mr. F. S., *Cambridge*
Agricultural Gangs—Childrens' Employment Commission, 279
Agricultural Women and Children, Res. 1017
Artizans' and Labourers' Dwellings, 2R. 691
Associations of Workmen, 2R. 1452
Educational Grants, Res. 1191
Factory Acts Extension, 2R. 451, 1710
Metropolis Gas, 2R. 1579, 1924
Public Houses, &c. Leave, 163
Representation of the People, 2R. 624
Spiritual Destitution, 2R. 1083

Prerogative of Mercy
Question, Mr. Darby Griffith; Answer, Mr. Walpole *Mar* 28, 734

Promissory Notes (Ireland) Bill
(*Mr. M'Kenna, Mr. Brady*) [Bill 90]
c. Resolution; Bill ordered; read 1°* *Mar* 25
Moved, "That the Bill be now read 2°" (*Mr. M'Kenna*) *May* 1, 1853
Amendt. to leave out "now," and add "upon this day six months" (*Colonel French*); A. 46, N. 70; M. 24; words added; main Question, as amended, agreed to; Bill put off for six months

Public Health (Scotland) Bill
(*Sir Graham Montgomery, Mr. Secretary Walpole*) *Mr. Hunt*)
c. Ordered, after short debate; read 1° *Mar* 25, 559 [Bill 89]
Second Reading deferred, after short debate *April* 8, 1317
Read 2°, after short debate *May* 2, 1925

Public Houses, &c. Regulation Bill
(*Mr. Graves, Mr. Horsfall, Mr. Hibbert*)
c. Acts read; Moved, "That this House will immediately resolve itself into a Committee to consider of the Acts relating to Public Houses, &c." (*Mr. Graves*) *Mar* 19, 160
After short debate, Amendt. to leave out "immediately," and insert "upon this day six months" (*Mr. Roebuck*); Question, "That 'immediately,' &c.;" after further short debate, Amendt. withdrawn; main Question agreed to; Acts considered in Committee; Resolution; Bill ordered; read 1° [Bill 83]
After short debate, Order discharged; Bill withdrawn *May* 1, 1849

Public Libraries (Scotland) Acts Amendment Bill (*Mr. Ewart, Sir John Ogilvy*)
c. Ordered; read 1°* *Mar* 26 [Bill 92]
Read 2°* *April* 1
Committee*; Report *April* 9
Considered as amended* *April* 10
Read 3°* *April* 11
l. Read 1ª* (*The Earl of Airlie*) *May* 2 (No. 85)

Public Works Commissioners
Question, Colonel French; Answer, Mr. Hunt *April* 30, 1784

Pugh, Mr. D., *Carmarthenshire*
Educational Grants, Res. 1198
Mutiny, Comm. *cl.* 22, 924

Quarantine at Southampton
Question, Sir Jervoise Jervoise; Answer, Lord Robert Montagu *April* 4, 1108

Railway Companies Winding-up (Ireland) Bill (*Mr. Lawson, Sir Colman O'Loghlen, Mr. Sullivan*)
c. Ordered; read 1°* *Mar* 29 [Bill 101]

Railway Traffic Protection Bill (No. 43)
(*The Lord Redesdale*)
l. Moved, "That the House do resolve itself into a Committee on the said Bill" (*The Lord Redesdale*) *Mar* 19, 111; after short debate, Motion withdrawn

Railways
Railway Debentures, Question, Mr. Edwards; Answer, The Chancellor of the Exchequer *Mar* 21, 289; Question, Sir Thomas Lloyd; Answer, Mr. S. Cave *Mar* 29, 816
Moved, "That it is expedient in the interests of the Public, that in cases where adequate security can be given, the State should assume the responsibility of the Debenture Debt of Railway Companies unable to meet their engagements, upon conditions providing for the eventual acquisition of such Railways by the State, upon terms of mutual advantage to the State and to the Railway Companies" (*Mr. Crawford*) *April* 2, 1025; after long debate, Motion withdrawn
Select Committee appointed, "to inquire into the provisions made by Parliament for securing the completion of Railways within a prescribed time, and to report whether any and what alterations should be made in the Standing Orders of this House, requiring such provisions, or the Act 9 Vic. c. 20" (*Mr. Dodson*); List of the Committee *April* 11, 1580
Royal Commission on, Question, Mr. Blake; Answer, Mr. Stephen Cave *May* 3, 1935

Railways (Guards' and Passengers' Communication) Bill
(*Mr. Henry B. Sheridan, Sir Patrick O'Brien*)
c. Moved, "That the Bill be now read 2°" (*Mr. H. B. Sheridan*) *May* 1, 1828; Read 2°, afier short debate [Bill 39]

Railways (Scotland) Bill
(*Sir Graham Montgomery, Mr. Hunt*)
c. Ordered; read 1° * *April* 11 [Bill 122]

READ, Mr. C. S., *Norfolk, E.*
Agricultural Women and Children, Res. 1019
Cattle Plague, Res. 2016
Church Rates Abolition, 2R. 229
Financial Statement, 1143
Mines, &c. Assessment, 2R. 1429
Tenants Improvements (Ireland), 2R. 1769
Turnpike Trusts, Leave, 154

REARDEN, Mr. D. J., *Athlone*
Ecclesiastical Titles Act Repeal, Leave, 366
Ireland—Administration of Justice, Motion for Papers, 884;—Voting Papers, 1481
Toomer, John, Case of, Motion for Papers, 1226

Recovery of Certain Debts (Scotland) Bill (*The Lord Chancellor*)
l. Committee; Report *Mar* 28, 703 (No. 14)

REDESDALE, Lord (Chairman of Committees)
Colonial Churches, 385
Government Offices, The New, 978
Private Bills—Board of Trade Reports, 704
Railway Traffic Protection, Comm. 116, 120
State Offices—The New Buildings, Motion for a Return, 1331, 1334

Reform League — Proposed Meeting in Hyde Park
Resolution of the Reform League, Question, Sir Charles Russell; Answer, Mr. Walpole *May* 3, 1935
Swearing in of Special Constables, Question, Mr. R. J. Harvey; Answer, Mr. Walpole *May* 3, 1936
Interference of the Government, Observations, Mr. Bright *May* 3, 1955
Amendt. on Committee of Supply, To leave out from "That," and add "Her Majesty's Government, in refusing the use of Hyde Park for the purpose of holding a Political Meeting have asserted the legal right of the Crown, and deserve the support of this House in so doing" (*Mr. Neate*), 1963; Question, "That the words, &c.;" after long debate, Amendt. withdrawn

Religious, &c. Buildings (Sites) Bill
(*Mr. Hadfield, Mr. Bazley, Mr. Akroyd, Mr. Leeman*)
c. Read 2° * *Mar* 6 [Bill 64]
Committee *; Report *Mar* 20
Considered as amended *Mar* 28, 798
Read 3° * *Mar* 29
l. Read 1ª * (*The Lord Cranworth*) *April* 1
Read 2ª, after debate *April* 5, 1167 (No. 68)
Committee * *May* 3

Representation of the People
LORDS—
Metropolitan Boroughs, Address for Returns (*The Earl of Shaftesbury*) *April* 8, 1264; after short debate, Motion amended, and agreed to
Statistics, Observations, Earl Stanhope; Reply, The Earl of Derby *Mar* 22, 372

COMMONS—
Questions, Mr. Bright, Mr. Gladstone; Answer, The Chancellor of the Exchequer *Mar* 19, 124
Forty Shilling Freeholders, Question, Mr. Hussey Vivian; Answer, The Chancellor of the Exchequer *Mar* 21, 283; Questions, Mr. Gladstone; Answer, The Chancellor of the Exchequer, 284
Lindsey, Parts of, Question, Mr. Banks Stanhope; Answer, The Chancellor of the Exchequer *Mar* 21, 293
Wednesbury and West Bromwich, Question, Mr. H. B. Sheridan; Answer, The Chancellor of the Exchequer *Mar* 22, 394; Question, Mr. H. B. Sheridan; Answer, The Chancellor of the Exchequer *Mar* 25, 469
Borough Franchise, Questions, Mr. Warner; Answer, The Chancellor of the Exchequer *Mar* 22, 396; Question, Mr. Warner; Answer, The Chancellor of the Exchequer *Mar* 25, 469
Suffrage to Women, Question, Mr. Denman; Answer, The Chancellor of the Exchequer *Mar* 25, 467
The Working Classes and the Borough Register, Question, Mr. Lowther; Answer, The Chancellor of the Exchequer *Mar* 25, 470
Progress, Question, Mr. Bright; Answer, The Chancellor of the Exchequer *Mar* 25, 472
Special Franchises, Question, Mr. Thomas Cave; Answer, The Chancellor of the Exchequer *Mar* 28, 730
Course of Proceeding, Question, Mr. Gladstone *Mar* 29, 819; Question, Mr. Gladstone; Answer, The Chancellor of the Exchequer *April* 1, 907
Arrangement of Business, Question, Mr. Morrison; Answer, The Chancellor of the Exchequer *April* 4, 1104
Disfranchised Boroughs, Question, Mr. Russell Gurney; Answer, The Chancellor of the Exchequer *April* 4, 1104
Proposed Alterations, Question, Sir William Hutt; Answer, The Chancellor of the Exchequer *April* 4, 1105
Returning Officers—Fees of, Question, Mr. Kekewich; Answer, The Chancellor of the Exchequer *April* 11, 1481
Mr. Hibbert's Amendment — Mr. Dillwyn's Memorandum, Observations, Mr. B. Osborne, Mr. Dillwyn; discussion thereon *April* 12, 1587, 1697; Explanations, Mr. Dillwyn, Mr. Owen Stanley *April* 29, 1706
Compound Householders, Question, Mr. Warner; Answer, The Chancellor of the Exchequer *April* 11, 1479; Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer *May* 2, 1875
Clause 3—Compound Householders, Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer *May* 3, 1939

[*cont.*

Representation of the People—(Commons) cont.
The Hundreds of Offlow, Question, Mr. Foley; Answer, The Chancellor of the Exchequer *April* 11, 1482
Clause 3—*Residence*, Ministerial Statement (*The Chancellor of the Exchequer*) *May* 3, 1939
Voting Papers, Question, Mr. Synan; Answer, The Chancellor of the Exchequer *April* 5, 1174; Question, Mr. Rearden; Answer, The Chancellor of the Exchequer *April* 11, 1481
(See *Lancaster Borough*)

Representation of the People Bill
(*Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Lord Stanley*)
Ordered, That the Orders of the Day be postponed until after the Notice of Motion relative to the Representation of the People (*Mr. Chancellor of the Exchequer*) *March* 18, 5
c. Motion for leave (*Mr. Chancellor of the Exchequer*); after long debate, Motion agreed to; Bill ordered; read 1° *Mar* 18, 6 [Bill 79]
Moved, "That the Bill be now read 2°" (*Mr. Hunt*) *Mar* 25, 472; after long debate, Debate adjourned
Debate resumed (*Second Night*) *Mar* 26, 569
After long debate, Question put, and agreed to; Bill read 2°
Order for Committee read *April* 8, 1268
After short debate, Instruction to the Committee, that they have power to alter the law of rating (*Mr. Coleridge*), 1270
Moved, "That it be an Instruction to the Committee, that they have power to make provision for the prevention of Bribery and Corruption at Elections" (*Sir Rainald Knightley*); after debate, Motion withdrawn
Moved, "That Mr. Speaker do now leave the Chair"
Amendt. To leave out from "That," and add "all Parliamentary Boroughs having a less population than 10,000 persons, according to the Census of 1861, and from which the second seat be taken, shall be increased by adding either from the immediately surrounding district, or from one or more neighbouring Boroughs or Towns, a sufficient number of inhabitants to give to every such Parliamentary Borough a population of not less than 10,000 persons" (*Captain Hayter*), 1278; after further debate, Question, "That the words, &c.," put, and agreed to
Original Question again proposed, "That Mr. Speaker do now leave the Chair;" after further long debate, Motion, "That the Debate be now adjourned" (*Mr. Gorst*) put, and negatived; main Question put, and agreed to
Committee r.p.
Clause 3, Notice, Mr. Gladstone *April* 9, 1338; Amendments (*Mr. Gladstone*), 1416
Order for Committee read; Motion, "That Mr. Speaker do now leave the Chair"
Moved, "That this House do now adjourn" (*Earl Grosvenor*) *April* 11, 1486; after debate, Motion withdrawn
Committee; Preamble postponed
[*cont.*

Representation of the People Bill—cont.
Clauses 1 and 2 agreed to
Clause 3 (Occupation Franchise for Voters in Boroughs); Amendt. in page 2, lines 3 and 4, after "and 2," to insert "whether he in person or his landlord be rated to the relief of the poor" (*Mr. Gladstone*); Question, "That the words, &c.," after long debate, Committee—r.p.
Committee *April* 12, 1599
Clause 3, Question again proposed, "That those words be there inserted;" after long debate, A. 289, N. 310; M. 21: Division List, Ayes and Noes, 1699; Committee—r.p.
Committee *May* 2, 1879
Amendt. Clause 3, page 2, leave out lines 4, 5, 6 and 7, and insert "is on the last day of July then last past, and has during the whole of the two years immediately preceding, been the occupier as owner or tenant of any house, warehouse, counting house, shop, or other building being either separately or jointly with any land within such borough of a rateable value of or exceeding five pounds" (*Earl Grosvenor*); after short debate, Amendt. negatived
Amendt. in page 2, line 5, to leave out "two years," and insert "twelve calendar months" (*Mr. Ayrton*); after long debate, A. 197, N. 278; M. 81; Division List, Ayes and Noes, 1908
Question, "That the words 'twelve calendar months' be there inserted," (*Mr. Ayrton*); Committee—r.p.

Representation of the People (Ireland) Bill (*Colonel French, Mr. Marsh*)
Question, Mr. Chichester Fortescue; Answer, The Chancellor of the Exchequer *Mar* 21, 289
c. Ordered; after debate, read 1° *April* 9, 1349 [Bill 115]

Representation of the People (Scotland) Bill
Question, Sir Robert Anstruther; Answer, The Chancellor of the Exchequer *Mar* 21, 288
Members for Scotland, Question, Captain White; Answer, The Chancellor of the Exchequer *Mar* 22, 396; Observations, Mr. Moncreiff; Reply, The Chancellor of the Exchequer *May* 3, 2020

Richmond, Duke of (President of the Board of Trade)
Oaths Commission, 560
Private Bills—Board of Trade Reports, 704

Roebuck, Mr. J. A., *Sheffield*
Public Houses, &c. Leave, 160; Amendt. 162, 165
Representation of the People, Leave, 17, 65; 2R. 539, 656; Comm. 1285; *cl.* 3, Motion for Adjournment, 1573, 1599
Unjust Weights and Measures Convictions, 1337

Rolt, Sir J., *see* Attorney General, The

Roman Catholic Churches, Schools, and Glebes (Ireland) Bill (*Sir Colman O'Loghlen, Mr. Gregory, Mr. Murphy*)
c. Ordered; read 1° * *April* 30 [Bill 127]

Russell, Earl
Canada Railway Loan, 3R. 1458
Luxemburg, Duchy of, 1868
"Tornado," Case of the, 1263

Russell, Colonel Sir C., *Berkshire*
Hyde Park—Reform Meeting, 1935
Mutiny, Comm. *cl.* 22, 921

Russian America, Cession of, to the United States
Question, Mr. Watkin; Answer, Lord Stanley *April* 1, 910; Question, The Earl of Clarendon; Answer, The Duke of Buckingham *April* 2, 979; Question, Sir Andrew Agnew; Answer, Lord Stanley *April* 4, 1108

St. Leonards, Lord
Trades Unions, Comm. *cl.* 2, 270; *cl.* 4, 273

Sale and Purchase of Shares Bill (*Mr. Leeman, Mr. Waldegrave-Leslie, Mr. Goldney*) [Bill 38]
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Leeman*) *Mar* 18, 96
Amendt. To leave out from "That," and add "the Bill be committed to a Select Committee" (*Mr. Grenfell*); after short debate, Amendt. withdrawn; Bill considered in Committee *Mar* 18—r.p.
Committee—r.p. *Mar* 20, 267
Committee; Report *April* 2, 1063 [Bill 103]
Considered as amended * *April* 4
Read 3° * *April* 5
l. Read 1ª * (*The Lord Redesdale*) *April* 8 (No. 74)

Sale of Land by Auction Bill [h.l.]
c. Read 2°, after debate *Mar* 26, 568 [Bill 70]
Committee *; Report *Mar* 27 [Bill 94]

Sale of Liquors (Ireland) Bill (*Mr. O'Reilly, Lord Cremorne, Mr. Pim*)
c. Ordered; read 1° * *Mar* 27 [Bill 95]

Sale of Liquors on Sunday Bill (*Mr. John Abel Smith, Mr. Bazley, Mr. Baines*)
c. Ordered; read 1° * *Mar* 27 [Bill 96]

Salisbury, Marquess of
Militia—Address for a Return, 804, 810

Salomons, Mr. Alderman D., *Greenwich*
Railway Companies Debenture Debt, Res. 1048

Samuda, Mr. J. D'A., *Tavistock*
Mutiny, Comm. *cl.* 22, 917
Navy Estimates—Men and Boys, 346, 355, 356

Samuelson, Mr. B., *Banbury*
Nantlle Railway Company, 562

Sandford, Mr. G. M. W., *Maldon*
Luxemburg, Grand Duchy of, 909
Representation of the People, Leave, 77; Comm. 1284
Tenants Improvements (Ireland), 2R. 1162, 1726, 1781

Sat First
Mar 29—The Earl of Eldon, after the Death of his Father
April 2—The Earl of Camperdown, after the Death of his Father

Schools Inquiry Commission
Question, Mr. Dillwyn; Answer, Mr. Walpole *April* 4, 1102

Schreiber, Mr. C., *Cheltenham*
Offices and Oaths, Comm. *cl.* 1, 1387

Sclater-Booth, Mr. G. (Secretary to the Poor Law Commissioners), *Hampshire, N.*
Turnpike Trusts, Leave, 155

Scotland
Conduct of Scotch Business in Parliament, Question, Mr. Baxter *Mar* 22, 397; discussion thereon; Answer, Mr. Walpole, 408

Scourfield, Mr. J. H., *Haverfordwest*
Church Rates Abolition, 2R. 229
Lancaster Borough, Res. 996
Railway Companies Debenture Debt, Res. 1050
Turnpike Trusts, Leave, 153

Scrope, Mr. G. Poulett, *Stroud*
Representation of the People, Comm. 1285, 1286

Sea Coast Fisheries (Ireland) Bill (*Mr. Blake, Colonel Tottenham, Mr. Brady*)
c. Read 2°, after debate *April* 3, 1093 [Bill 50]

Seely, Mr. C., *Lincoln*
Navy Estimates—Men and Boys, 955
Navy—Greenwich Hospital Accounts, 736

Select Committees, Expense of
Select Comm. on Protection from Fire nominated; Observations (*Mr. Hunt*), 703
See also *Witnesses* (*House of Commons*)

Selwin, Mr. H. J., *Essex, S.*
Artizans' and Labourers' Dwellings, 2R. 675

Selwyn, Mr. C. J., *Cambridge University*
Hyde Park—Reform Meeting, 1981
Spiritual Destitution, 2R. 1087
Supply—New Courts of Justice, 1827
Tests Abolition (Oxford), Comm. 1432, 1446

Servia—Jews in
Amendt. on Committee of Supply *Mar* 29, To leave out from " That," and add " an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of any Correspondence between Her Majesty's Minister for Foreign Affairs and Her Consul General in Servia, respecting the condition and treatment of the Jews of that Principality " (*Sir Francis Goldsmid*), 838; Question, " That the words, &c.," after short debate, Amendt. withdrawn

Seymour, Mr. A., *Totnes*
Totnes Elections, Res. 1360

Shaftesbury, Earl of
Agricultural Gangs, 1465, 1477
Clerical Vestments, 703
Criminal Lunatics, 2R. 975
Metropolitan Poor, Comm. 389; 3R. 465
Representation of the People — Metropolitan Boroughs, Motion for Returns, 1264, 1265

Sheridan, Mr. H. B., *Dudley*
Financial Statement, 1151
Fire Insurance, Res. 128, 138
National Debt, 1787
Railways (Guards' and Passengers' Communication), 2R. 1828
Representation of the People—Wednesbury and West Bromwich, 394, 469

Shipping Local Dues Bill
(*The Duke of Richmond*)
l. Committee *; Report *Mar* 26 (No. 41, 64)
Read 3ª * *Mar* 28
Royal Assent *April* 12 [30 *Vict.* c. 15]

Sierra Leone—Trial by Jury
Question, Sir Patrick O'Brien; Answer, Mr. Adderley *April* 4, 1106

Simeon, Sir J., *Isle of Wight*
Hall, Mr. J. M., and the Royal Bounty Fund, 392
Utilization of Sewage Act, 908

Smith, Mr. A., *Hertfordshire*
Public Houses, &c. Regulation, 2R. 1851

Smith, Mr. J. B., *Stockport*
Artizans' and Labourers' Dwellings, 2R. 685
Railway Companies Debenture Debt, Res. 1049

Smollett, Mr. P. B., *Dumbartonshire*
India—Famine in Orissa, 1582

Solicitor General, The (Sir J. B. Karslake), *Andover*
Representation of the People, 2R. 545; Comm. *cl.* 3, 1525, 1905
Sale and Purchase of Shares, Comm. *cl.* 1, 101
Toomer, John, Case of, Motion for Papers, 1219
Totnes Elections, Res. 1373

Somerset, Duke of
Navy—Motion for Returns, 813

Spain — Relations with — Cases of the " Tornado" and " Victoria"
Question, Sir Robert Collier; Answer, Lord Stanley *Mar* 21, 281; Question, Sir Robert Collier; Answer, Lord Stanley *Mar* 25, 469; Notice of Motion for Papers (*The Marquess of Clanricarde*) postponed *Mar* 26, 560; Question, Mr. Osborne; Answer, Lord Stanley *April* 4, 1109; Postponement of Notice; Question, The Earl of Malmesbury; Answer, The Marquess of Clanricarde *April* 8, 1260; short debate thereon; Question, Mr. Osborne; Answer, Lord Stanley *April* 8, 1267; Question, Mr. Osborne; Answer, Lord Stanley *April* 11, 1482; Question, Colonel Sykes; Answer, Lord Stanley *April* 12, 1586; Postponement of Motion (*The Marquess of Clanricarde*) *May* 2, 1870; Observations, Lord Stanley, Mr. Baillie Cochrane, 1876
Parl. Papers [3772, 3801, 3813, 3815, 3820, 3825]

Speaker, The (Right Hon. J. E. Denison) *Nottinghamshire, N.*
Army—Flogging in the, 292
Churchward, Mr., Case of, Motion for an Address, 173, 1477
Ecclesiastical Establishments in the West Indies, 887
Ecclesiastical Titles Act Repeal, Leave, 370
Factory Acts Extension, 2R. 451
Ireland—Tyrone Magistrates, 393;—Administration of Justice, 858, 860, 864, 880, 884, 885, 887;—Fenianism, 1930, 1931, 1932;—Fenian Prisoners, 1990
London, Chatham, and Dover Railway Company, Motion for a Committee, 1343
Metropolis Gas, 2R. 1921
Navy—Roman Catholics, 316
Public Houses, &c. Leave, 160
Religious, &c. Buildings (Sites), Consid. 798
Representation of the People, 125; Comm. 1272, 1285, 1505
Tenants Improvements (Ireland), 2R. 1780
Tests Abolition (Oxford), Comm. 1443
Writs for re-election, Res. 1201
Young, Mr., Pension to, 441

Speirs, Mr. A. A., *Renfrewshire*
Scotland—Members for, 396

Spiritual Destitution Bill
(*Mr. Ayrton, Mr. Beresford Hope*)
c. Moved, " That the Bill be now read 2° " (*Mr. Ayrton*) *April* 3, 1069 [Bill 27]
Amendt. to leave out " now," and add " upon this day six months " (*Mr. Howes*); after long debate, Question, " That 'now,' &c.;" A. 78, N. 173; M. 95; words added; main Question, as amended, agreed to; Bill put off for six months

Stacpoole, Mr. W., *Ennis*
Irish Reform, 1785
Navy—Claim of Assistant-Commissary-General Swan, 1873

Stanhope, Earl
- Colonial Churches, 387
- Ecclesiastical Titles Act, Address for a Return, 715
- Oaths Commission, 560
- Representation of the People—Statistics, 372
- Young, Mr., Pension to, 456

Stanhope, Mr. J. Banks, *Lincolnshire, N.*
- Representation of the People—Parts of Lindsey, 293
- Representation of the People, 2R. 534

Stanley of Alderley, Lord
- Private Bills—Board of Trade Reports, 705
- Traffic Regulation (Metropolis), Report, 110

Stanley, Right Hon. Lord (Secretary of State for Foreign Affairs), *Lynn Regis*
- Agriculture of Austria and Denmark, 1485
- Cholera Congress at Constantinople, 732
- "Cyclone," Owners of the, 731
- Easter Holydays, Adjournment for the, 1596
- International Currency Conference, 1479
- Ionian Islands—State of the, 816
- Italy—The Ministry, 1175
- Japan—European Troops at Yokuhama, 1107
- Luxemburg—Grand Duchy of, 909, 1253, 1257, 1705, 1786
- Mexican Bondholders, 280
- Muscat—Imaum of, 1478
- Plantagenet Statues at Fontevrault, 817
- Portugal—Commercial Treaty with, 564
- Representation of the People, 908; Comm. 1502; *cl.* 3, 1575
- Russian America—Cession of, to the United States, 911, 1109
- Servia—Jews in, Motion for Papers, 843
- Spain—Relations with, 1109, 1110, 1267, 1268, 1482, 1586
- "Tornado," Case of the, 282, 1876
- Turkey—Cholera at Constantinople, 283;—Christian Subjects of the Porte, 284;—Fortresses in Servia, 288
- United States—The "Alabama" Claims, 471
- "Victoria," Case of the, 469

Stanley, Hon. Captain F. A., *Preston*
- Army—Purchase of Commissions, Res. 1804

Stanley, Hon. W. Owen, *Beaumaris*
- Army—Household Cavalry, 732
- Easter Holydays, Adjournment for the, 1589, 1594
- Metropolis — Buckingham Palace Gardens, 1482
- Plantagenet Statues at Fontevrault, 817
- Private Communications, Explanation, 1708

Stansfeld, Mr. J., *Halifax*
- Navy Estimates—Men and Boys, 357; Motion for Adjournment, 362, 935, 936, 938

State Offices—The New Buildings
- Notice, Lord Redesdale *April* 2, 978
- Moved, "That there be laid before the House, Return of Property purchased in Parliament and Kings Streets for the extension of the new State Offices" (*The Lord Redesdale*) *April* 9, 1331; after short debate, Motion withdrawn

Stirling-Maxwell, Sir W., *Perthshire*
- Cattle Plague, Res. 2017
- Young, Mr., Pension to, 437

Stone, Mr. W. H., *Portsmouth*
- Navy—Royal Marines, 1102

Storm Signals
- Question, Colonel Sykes; Answer, Mr. Stephen Cave *April* 5, 1173

Straits Settlements—New Appointments
- Question, Mr. O'Reilly; Answer, Mr. Adderley *Mar* 21, 280

Stucley, Sir G. S., *Barnstaple*
- Army — Sanitary Committee, 282;—Rewards to Military Inventors, 283, 1103

Sugar Duties Bill
(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer*)
- *c.* Read 3° * *April* 1 [Bill 37]
- *l.* Read 1ª * (*The Earl of Belmore*) *April* 2
- Read 2ª; * Committee negatived; 3ª * *April* 4 (No. 70)
- Royal Assent *April* 5 [30 *Vict.* c. 10]

Sullivan, Mr. Serjeant E., *Mallow*
- Ireland—Administration of Justice, Motion for Papers, 869, 874
- Tenants Improvements (Ireland), 2R. 1777
- Toomer, John, Case of, Motion for Papers, 1222
- Young, Mr., Pension to, 444, 445

Sunday Lectures Bill (*Viscount Amberley, Mr. Stuart Mill, Mr. Coleridge*)
- *c.* Ordered, after short debate; read 1° *April* 2, 998 [Bill 106]

SUPPLY
- Considered in Committee—Navy Estimates—Question [March 14] again proposed, "That 67,300 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March, 1868, including 16,200 Royal Marines" *Mar* 21, 321
- Motion, "That 65,300 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March, 1868, including 16,200 Royal Marines" (*Mr. Childers*); after long debate, Committee R.P.
- Question again proposed *Mar* 22, 448; after short debate, Committee R.P.
- Question again proposed *April* 1, 935; after long debate, Amendt. withdrawn; original Question put, and agreed to.—(2.) £1,900,952, Wages, 971; after short debate, Vote agreed to.—(3.) £1,241,614, Victuals and Clothing, agreed to

[*cont.*

Supply—cont.
Motion, "That a sum, not exceeding £176,018, be granted to Her Majesty, to defray the Salaries of the Officers and the Contingent Expenses of the Admiralty Office, which will come in course of payment during the year ending on the 31st day of March, 1868;" after further short debate, Motion, "That the Chairman do report Progress, and ask leave to sit again" (*Mr. Serjeant Gaselee*) put, and negatived; original Question put, and agreed to—Resolutions reported *April* 2
Considered in Committee—Civil Service Estimates—£2,000, Special Rewards to certain members of the Irish Constabulary Force *Mar* 29, 894; after short debate, Vote agreed to
Considered in Committee — Civil Service Estimates — £402,000, Advances for New Courts of Justice and Offices *April* 30, 1826; after short debate, Vote agreed to

Surtees, Mr. H. E., *Hertfordshire*
Cattle Disease, 731

Sykes, Colonel W. H., *Aberdeen City*
Army—Colour Serjeant Connell, 467;—Purchase of Commissions, Res. 1802
Artizans' and Labourers' Dwellings, 2R. 690
Cattle Plague—Compensation for Slaughtered Cattle, 1230; Res. 2014
Financial Statement, 1152
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Metropolis Gas, 2R. 1918
Mutiny, Comm. Preamble, 934
Navy Estimates—Men and Boys, 943
Public Health (Scotland), 2R. 1926
Scotland—Management of Scotch Business in Parliament, 400
Spain—Relations with, 1586
Storm Signals, 1173

Synan, Mr. E. J., *Limerick Co.*
Army—Medical Officers, 281
Bridges (Ireland), 2R. 797
Ireland—Inspectors of Weights and Measures, Motion for a Committee, 414
Fenian Prisoners, 1951
Offices and Oaths, Comm. *cl.* 1, 1398
Promissory Notes (Ireland), 2R. 1863
Representation of the People—Voting Papers, 1174
Tenants Improvements (Ireland), 2R. 1162, 1737

Taunton, Lord
Colonial Churches, 387
Private Bills—Board of Trade Reports, 704, 705

Taylor, Mr. P. A., *Leicester*
Churchward, Mr., Case of, 5, 123; Motion for an Address, 167, 174
Hyde Park—Reform Meeting, 1983

Tenants Improvements (Ireland) Bill
(*Lord Naas, Mr. Solicitor General for Ireland*)
c. Question, Mr. Bryan; Answer, Lord Naas *Mar* 21, 290
Moved, "That the Bill be now read 2°" (*Lord Naas*) *April* 4, 1159 [Bill 29]
[*cont.*

Tenants Improvements (Ireland) Bill—cont.
Moved, "That the Debate be now adjourned" (*Mr. Candlish*); after short debate, Motion agreed to; Debate adjourned
Question, Sir Frederick Heygate; Answer, The Chancellor of the Exchequer *April* 12, 1585
Debate resumed *April* 29, 1710
Amendt. to leave out from "That," and add "without prejudging the second reading of this Bill, this House is of opinion that no enactment for the settlement of the Landlord and Tenant question in Ireland can be deemed satisfactory which does not provide for the encouragement of leases in that Country" (*Mr. Gregory*); Question, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Graves*), 1778; Motion withdrawn
Question, "That the words, &c.," negatived
Question, "That the words 'without prejudging the second reading of this Bill, this House is of opinion that no enactment for the settlement of the Landlord and Tenant question in Ireland can be deemed satisfactory which does not provide for the encouragement of leases in that Country,' be there added"
Amendt. proposed to proposed Amendt. by leaving out all after "opinion," and add "No property should be charged with the repayment of loans advanced for the purpose of making improvements except such improvements be made with the consent of the landlord" (*Mr. Sandford*)
Question, "That the words, &c.;" A. 104, N. 108; M. 4
Question, "That the words 'no property, &c.,' be there added"
Moved, "That the debate be now adjourned" (*Mr. Dick*); A. 115, N. 97; M. 18; Debate adjourned
Question, Mr. Maguire; Answer, The Chancellor of the Exchequer *May* 3, 1934

Tenure of Land (Ireland) Bill
(*The Marquess of Clanricarde*)
l. Read 2ª, after short debate *April* 9, 1323 (No.23)

Tests Abolition (Oxford) Bill
(*Mr. Coleridge, Mr. Grant Duff*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *April* 10, 1431
Moved, "That it be an Instruction to the Committee, that they have power to extend the provisions of the Bill to the University of Cambridge" (*Mr. Fawcett*); after long debate, A. 253, N. 166; M. 87; Division List, Ayes and Noes, 1443
Motion, "That Mr. Speaker do now leave the Chair," agreed to
Committee; Report *April* 10 [Bill 16]

Thames Embankment—Sheilds' Petition
Moved, "That the Petition of Francis Webb Sheilds, C. E. [presented 8th March], relative to the Thames Embankment, be referred to a Select Committee to inquire into the allegations thereof and to report their opinion to the House" (*Mr. Lowe*) *Mar* 21, 371
[*cont.*

Thames Embankment—Sheilds' Petition—cont.
Moved, "That the Debate be now adjourned" (*Mr. Hunt*); A. 6, N. 28; M. 22
Debate resumed *Mar* 28, 798; A. 29, N. 49; M. 20

THYNNE, Lord H. F., *Wiltshire S.*
Corrupt Practices at Elections—Removal of Magistrates, 121
Tenants Improvements (Ireland), 2R. 1779

Tipperary Election
House informed, that the Committee had determined,—That the Honourable Charles White is duly elected a Knight of the Shire to serve in this present Parliament for the County of Tipperary. And the said Determination was ordered to be entered in the Journals of this House. House further informed of certain Resolutions of the Committee *April* 5, 1171
Minutes of evidence taken before the Committee to be laid before this House (*Sir Philip Egerton*)

TITE, Mr. W., *Bath*
Burlington House Site, 1244
National Gallery, The New, Motion for Papers, 833

Toomer, John, Case of
Question, Sir Robert Collier; Answer, Mr. Walpole *April* 1, 904; Observations, Sir Robert Collier; long debate thereon *April* 5, 1203

TORRENS, Mr. W. T. McCullagh, *Finsbury*
Artizans' and Labourers' Dwellings, 2R. 666

Totnes Election Commission Report
Question, Mr. Morrison; Answer, Mr. Walpole *Mar* 28, 725
Moved, "That before proceedings be taken against any of the Parties convicted of Bribery at the Totnes Election a list of those about to be prosecuted be laid upon the Table of this House" (*Sir Lawrence Palk*) *April* 9, 1353; after debate, Motion withdrawn

TOTTENHAM, Colonel C. G., *New Ross*
Bridges (Ireland), 2R. 797

TRACY, Hon. C. R. D. HANBURY-, *Montgomery*
Navy—Promotion in the, Res. 293, 300, 309, 311

Trades Unions Bill
(*The Earl of Belmore*)
l. Comm. (*on re-comm.*) *Mar* 21, 268 (No. 44)
Report * *Mar* 22 (No. 57)
Read 3ª * *Mar* 25
Royal Assent *April* 5 [30 *Vict.* c. 8]

Traffic Regulation (Metropolis) Bill
(*The Earl of Belmore*)
l. Report *Mar* 19, 110 (No. 46)
Amendt. moved, after ("Notice") to insert ("except in such form and manner as may be approved of by the Commissioner of Police" (*The Earl of Denbigh*); Cont. 24, Not-Cont. 16, M. 8; Amendt. agreed to; List of the Contents and Not-Contents, 111
Read 3ª* *Mar* 25
c. Read 1°* *Mar* 27 [Bill 97]

Tramways (Ireland) Acts Amendment Bill (*Mr. Monsell, Mr. Sherriff*)
c. Ordered; read 1°* *April* 29 [Bill 125]

Transubstantiation, &c. Declaration Abolition Bill
(*Sir C. O'Loghlen, Mr. Cogan, Sir J. Gray*)
c. Committee; Report *April* 9, 1408
Considered as amended* *April* 11

TREEBY, Mr. J. W., *Lyme Regis*
Metropolitan Board of Works, 1336

TREVELYAN, Mr. G. O., *Tynemouth*
Army—Purchase of Commissions, Res. 1787, 1824

Turkey
Cholera at Constantinople, Question, Sir Jervoise Jervoise; Answer, Lord Stanley *Mar* 21, 283
Congress at Constantinople, Question, Sir Jervoise Jervoise; Answer, Lord Stanley *Mar* 28, 732
Crete—Christian Subjects of the Porte, Question, Mr. Gregory; Answer, Lord Stanley *Mar* 21, 284; Question, The Earl of Denbigh; Answer, The Earl of Derby *Mar* 28, 718
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TURNER, Mr. C., *Lancashire, S.*
Sale and Purchase of Shares, Comm. *cl.* 1, 267

Turnpike Trusts
Question, Mr. Hardcastle; Answer, Mr. Walpole *April* 8, 1268

Turnpike Trusts Bill
(*Mr. Knatchbull-Hugessen, Mr. George Clive, Mr. Ayrton, Mr. Goldney*)
c. Ordered, after debate; read 1° *Mar* 19, 139
Read 2°, after short debate, and committed to a Select Committee *May* 1, 1849; List of the Committee [Bill 80]

United States—The "Alabama" Claims
Question, Mr. Shaw-Lefevre; Answer, Lord Stanley *Mar* 25, 471
Cession of Russian America—see *Russian*

Unjust Weights and Measures Convictions
Question, Mr. Roebuck; Answer, Mr. Walpole *April* 9, 1337

Utilization of Sewage Act
Question, Sir John Simeon; Answer, Lord Robert Montagu *April* 1, 908

Vaccination Bill
(*Lord R. Montagu, Mr. G. Hardy, Mr. Earle*)
c. Ordered; read 1^{o}* *April* 30 [Bill 125]
Question, Mr. Barrow; Answer, Lord Robert Montagu *May* 2, 1878

VANCE, Mr. J., *Armagh City*
Ireland—Inspectors of Weights and Measures, Motion for a Committee, 414;—Administration of Justice, Motion for Papers, 877
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Offices and Oaths, Comm. *cl.* 1, 1397
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Sea Coast Fisheries (Ireland), 2R. 1100

VANDERBYL, Mr. P., *Bridgwater*
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Ireland—Administration of Justice, Motion for Papers, 880

VERNER, Mr. E. W., *Lisburn*
Ireland—Administration of Justice, Motion for Papers, 855, 858, 864;—Management of City Prisons, 1103

VERNEY, Sir H., *Buckingham*
Agricultural Women and Children, Res. 1024
Army—Purchase of Commissions, Res. 1811
Mutiny, Comm. *cl.* 40, Amendt. 776; *add. cl.* 929

Vice Admiralty Courts Act Amendment Bill [H.L.] (*The Lord Chancellor*)
l. Presented; read 1^{a}* *April* 5 (No. 71)
Read 2^{a} *April* 9, 1328
Committee*; Report *April* 11
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Vice President of the Board of Trade Bill (*Sir Stafford Northcote, Mr. Stephen Cave, Mr. Hunt*)
c. Committee*; Report *April* 29 [Bill 22]

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Representation of the People—Borough Franchise, 397, 469;—Compound Householders, 1479

Waterford County Election
House informed, that the Committee had determined, That Edmund de la Poer, esquire, was duly elected a Knight of the Shire to serve in this present Parliament for the County of Waterford; and the said Determination was ordered to be entered in the Journals of this House: House further informed, That the Committee had agreed to certain Resolutions
Minutes of Evidence taken before the Committee to be laid before this House (*Mr. Adair*) *April* 3, 1100

Waterford Election — Disturbances at Dungarvan
Question, Mr. Cogan; Answer, The Solicitor General for Ireland *Mar* 18, 4

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WAYS AND MEANS
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The Financial Statement of the Chancellor of the Exchequer on moving the First Resolution
"That towards raising the Supply granted to Her Majesty, the Duty of Customs now charged on Tea shall continue to be levied and charged on and after the 1st day of August 1867 until the 1st day of August 1868 on the importation thereof into Great Britain and Ireland, viz.— *s. d.*
Tea . . . the lb. 0 6"
After long debate, Motion agreed to; other Resolutions agreed to

Wellington, Duke of, Monument to the
Question, Mr. Goldsmid; Answer, Lord John Manners *April* 8, 1267

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Western Australia, Transportation to
Question, Mr. Childers; Answer, Mr. Walpole *April* 5, 1173

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(*Mr. Remington Mills, Mr. Bazley, Mr. Lamont*)
c. Ordered, after short debate; read 1° *April* 30, 1825 [Bill 126]

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WHITWORTH, Mr. B., *Drogheda*
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Witnesses (House of Commons)
Moved, "That there be laid before this House, Copy of Recommendation of the Chairman of the Select Committee on Mines in the last Session to the Treasury, with reference to the expenses of Witnesses examined before that Committee" (*Mr. Neate*) *April* 9, 1376; after short debate, Motion withdrawn
(See *Select Committees, Expense of*)

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YORKE, Mr. J. R., *Tewkesbury*
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Observations, Mr. O'Reilly; Reply, Mr. Hunt *Mar* 22, 428; long discussion thereon; Explanation, Lord Dufferin *Mar* 25, 454

END OF VOLUME CLXXXVI., AND SECOND VOLUME OF THE SESSION 1867.

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